

R. I., Moline, Ill., and Cleveland, Ohio—to the Committee on Rules.

By Mr. HOWELL of Utah: Petition of Lake Typographical Union, No. 115, et al., labor associations of Salt Lake City, for passage of the Pearre bill (H. R. 18752)—to the Committee on the Judiciary.

By Mr. KENNEDY of Nebraska: Petition of Nebraska Stock Growers' Association, for action relative to disposition of such public lands in Nebraska as are unfit for agricultural purposes—to the Committee on the Public Lands.

Also, petition of Nebraska Stock Growers' Association, for speedy Government meat inspection—to the Committee on Agriculture.

By Mr. KENNEDY of Ohio: Petition of citizens of Youngstown, Ohio, urging exemption of aliens who come to the United States by reason of religious or political persecution from considerations of Gardner bill—to the Committee on Immigration and Naturalization.

By Mr. KINKAID: Petition of business firms of Nebraska, for immediate action on Government inspection of meat-packing products—to the Committee on Interstate and Foreign Commerce.

By Mr. KLINE: Paper to accompany bill for relief of Howard F. Esterline—to the Committee on Claims.

By Mr. LINDSAY: Petition of Robert S. Waddell, against the powder monopoly—to the Committee on Military Affairs.

Also, petition of General Federated Union of New York, against the antipilotage bill being passed as a rider to ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. LORIMER: Petition of Edwards & Deutch Lithograph Company, against Gardner eight-hour bill—to the Committee on Labor.

By Mr. MCCARTHY: Petition of Frank Dowd and J. H. Rothnell, for the pure-food bill and Federal inspection of meat-packing products—to the Committee on Agriculture.

Also, petition of Nebraska Stock Growers' Association, for such action relative to public lands in Nebraska as shall prevent destruction of the cattle industry—to the Committee on the Public Lands.

Also, petition of Nebraska Stock Growers' Association, for careful revision of Beveridge bill, relative to meat inspection—to the Committee on Interstate and Foreign Commerce.

By Mr. McNARY: Petition of citizens of Massachusetts, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. NORRIS: Petition of citizens of Nebraska, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. PADGETT: Paper to accompany bill for relief of John M. Defoe—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Petition of citizens of Seventh Massachusetts district, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RYAN: Petition of United German Societies of New York, for the furtherance of arbitration treaties—to the Committee on Foreign Affairs.

Also, petition of Central Federated Union of New York, against the antipilotage bill—to the Committee on the Merchant Marine and Fisheries.

Also, paper to accompany bill for relief of Charles W. Airey—to the Committee on Invalid Pensions.

Also, petition of citizens of United States of German birth, of New York, for furtherance of arbitration treaties—to the Committee on Foreign Affairs.

By Mr. THOMAS of Ohio: Petition of the Sentinel, Jefferson, Ohio, and Lawrence Times, Lawrence, Mich.—to the Committee on Ways and Means.

Also, petition of Grand Council of Order of the United Commercial Travelers of America, against parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. WEBBER: Petition of hundreds of influential citizens of Washington, D. C., for bill H. R. 6016, for prohibiting manufacture and sale of liquor in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WEEKS: Petition of Boston Christian Endeavor Union, for appropriate action by the Federal Government relative to abuses of power in the Kongo Free State—to the Committee on Foreign Affairs.

Also, petition of citizens of Boston and West Newton, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WILEY of Alabama: Paper to accompany bill for relief of Charles Hussey—to the Committee on Pensions.

SENATE.

WEDNESDAY, June 20, 1906.

Prayer by Rev. JOHN VAN SCHAIK, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 3263. An act to amend an act entitled "An act to establish a port of delivery at Salt Lake City, Utah;"

S. 3414. An act providing for a public highway on the east side of the Fort Sherman abandoned military reservation, Idaho;

S. 5989. An act to authorize the construction of a bridge across the Missouri River in Broadwater and Gallatin counties, Mont.;

S. 6234. An act to authorize the Chicago, Milwaukee and St. Paul Railway Company, of Montana, to construct a bridge across the Missouri River in Lewis and Clarke County, Mont.;

S. 6243. An act to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands; and

S. 6451. An act to provide for a commission to examine and report concerning the use by the United States of the waters of the Mississippi River flowing over the dams between St. Paul and Minneapolis, Minn.;

The message also announced that the House had passed the following bills and joint resolution with amendments; in which it requested the concurrence of the Senate:

S. 1540. An act to increase the efficiency of the Ordnance Department of the United States Army;

S. 1697. An act confirming to certain claimants thereto portions of lands known as Fort Clinch Reservation, in the State of Florida;

S. 2948. An act to amend section 1 of the act approved March 3, 1905, providing for an additional associate justice of the supreme court of Arizona, and for other purposes;

S. 3044. An act to promote the efficiency of the Revenue-Cutter Service;

S. 4190. An act to repeal an act entitled "An act to amend section 2455 of the Revised Statutes of the United States, approved February 26, 1895;"

S. 5769. An act defining the right of immunity of witnesses under the act entitled "An act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February 11, 1893; and an act entitled "An act to establish the Department of Commerce and Labor," approved February 14, 1903, and an act entitled "An act to further regulate commerce with foreign nations and among the States," approved February 19, 1903, and an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," approved February 25, 1903; and

S. R. 47. Joint resolution granting condemned cannon for a statue to Governor Stevens T. Mason, of Michigan.

The message further announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

H. R. 18536. An act providing for the subdivision of lands entered under the reclamation act, and for other purposes; and

H. R. 16472. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

H. R. 9343. An act providing for the resurvey of certain townships of land in the county of Baca, Colo.;

H. R. 10858. An act to establish a naval militia and define its relations to the General Government;

H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys;

H. R. 13106. An act granting to the Batesville Power Company right to erect and construct canal and power stations at Lock and Dam No. 1, upper White River, Arkansas;

H. R. 14811. An act to authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the National Cemetery road at Vicksburg, Miss.;

H. R. 15506. An act authorizing the patenting of certain lands to school district No. 57, Nez Perces County, Idaho;

H. R. 16013. An act providing medals for certain persons;

H. R. 17186. An act granting to the Territory of Oklahoma, for the use and benefit of the University Preparatory School of the Territory of Oklahoma, section 33, in township No. 26 north of range No. 1 west of the Indian meridian, in Kay County, Okla.;

H. R. 17600. An act to grant authority to change the names of certain sailing vessels;

H. R. 18596. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the White River, Arkansas, and for other purposes;

H. R. 19181. An act to grant a certain parcel of land, part of Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes;

H. R. 19312. An act to authorize the Mingo-Martin Coal Land Company to construct a bridge across Tug Fork of Big Sandy River at or near the mouth of Wolf Creek;

H. R. 19566. An act to authorize the Corapolis Bridge Company and Osborne Bridge Company to construct a bridge over the Ohio River;

H. R. 19756. An act to amend section 2844 of the Revised Statutes of the United States, and to provide for an authentication of invoices of merchandise shipped to the United States from the Philippine Islands;

H. R. 19814. An act authorizing the issue of obsolete ordnance and ordnance stores for use of State and Territorial educational institutions and to State soldiers and sailors orphans' homes;

H. R. 19850. An act to authorize the Monongahela Connecting Railroad Company to construct a bridge across the Monongahela River in the State of Pennsylvania;

H. R. 19916. An act withdrawing from entry certain public lands in Chouteau County, Mont., and leasing the same to the board of trustees of the Montana College of Agriculture and Mechanic Arts;

H. R. 20097. An act to authorize the board of supervisors of Coahoma County, Miss., to construct a bridge across Coldwater River;

H. R. 20119. An act to authorize the village of Oslo, Marshall County, Minn., to construct a bridge across the Red River of the North;

H. R. 20210. An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River;

H. R. 20266. An act to amend an act entitled "An act authorizing the condemnation of lands or easements needed in connection with works of river and harbor improvement at the expense of persons, companies, or corporations," approved May 16, 1906;

H. J. Res. 31. Joint resolution recognizing the change of name of the Regular Army and Navy Union of the United States to the Army and Navy Union of the United States of America; and

H. J. Res. 160. Joint resolution authorizing the Secretary of War to furnish a certain gun carriage to the mayor of the city of Ripley, Lauderdale County, Tenn.

The message further announced that the House had passed a concurrent resolution providing for the appointment of a joint special committee consisting of four Senators, to be appointed by the Vice-President, and five Members of the House of Representatives, to be appointed by the Speaker, to examine, consider, and submit to Congress recommendations upon the revision and codification of laws prepared by the statutory revision commission heretofore authorized to revise and codify the laws of the United States; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 10133. An act to provide for the annual pro rata distribution of the annuities of the Sac and Fox Indians of the Mississippi between the two branches of the tribe and to adjust the existing claims between the two branches as to said annuities; and

H. R. 11787. An act ratifying and approving an act to appropriate money for the purpose of building additional buildings for the Northwestern Normal School, at Alva, in Oklahoma Territory, passed by the legislative assembly of Oklahoma Territory, and approved the 15th day of March, 1905.

PETITIONS.

The VICE-PRESIDENT presented a petition of the National German-American Alliance of Philadelphia, Pa., praying for the enactment of legislation providing for the appointment of a commission to formulate a system for carrying the immigration laws into effect; which was referred to the Committee on Immigration.

He also presented a petition of the German-American Arbitration Conference, of New York City, N. Y., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

BENJAMIN FRANKLIN MEDALS.

Mr. KEAN. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 6488) authorizing the striking of 200 additional medals to commemorate the two hundredth anniversary of the birth of Benjamin Franklin, to report it favorably without amendment. It is a short bill, and I will ask for its present consideration. It will lead to no debate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of State to have struck 200 additional medals for the use of the American Philosophical Society, Philadelphia, Pa., to commemorate the two hundredth anniversary of the birth of Benjamin Franklin; but the entire cost of striking the medals shall be borne by the American Philosophical Society.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RULES FOR GRADING LUMBER.

Mr. PLATT. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 67) limiting the gratuitous distribution of the Rules and Specifications for Grading Lumber Adopted by the Various Lumber Manufacturing Associations of the United States to the Senate, the House of Representatives, and the Department of Agriculture, to report it favorably with an amendment to the title, and I ask for its present consideration.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution to protect the copyrighted matter appearing in the Rules and Specifications for Grading Lumber Adopted by the Various Lumber Manufacturing Associations of the United States."

The preamble was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 9343) providing for the resurvey of certain townships of land in the county of Baca, Colo., was read twice by its title, and referred to the Committee on Public Lands.

SUNDRY CIVIL APPROPRIATION BILL—ORDER OF BUSINESS.

Mr. HALE. I report back from the Committee on Appropriations, with amendments, the bill (H. R. 19844) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes, and I submit a report thereon.

I wish to state to the Senate that in the course of its business, in order to secure an adjournment late next week, it is essential that this bill should be passed so that it can go to the House and we can get it into conference on Sunday. In that way the bill will be out of the way, and so far as appropriation bills go there will only be the general deficiency bill, which will reach the Senate upon Tuesday of next week, as it is now arranged in the other branch of Congress.

Senators will see the importance not only of getting this bill forward in the way I have indicated, but the moment that the bill passes all of the time between its passage and next Tuesday or Wednesday will be open to the Senate for conference reports and other matters, and the Committee on Appropriations will be out of the way of the Senate.

I can see no better way of marshaling the business to the end which we all desire than what I have indicated, and I should be very glad to-day, as the bill is substantially already in print before the Senate, to take it up now, or a little later, when the amended print of the bill comes in, and go through with the formal part of the bill, so that immediately after the action of the Senate on the canal bill to-morrow, which has been settled by unanimous consent, the appropriation bill can be completed to-morrow afternoon and go at once to the House for conference.

I hope that Senators see the importance of this arrangement

in view of final adjournment, and particularly that they will consider that when this bill is out of the way the Senate will have three or four uninterrupted days for the consideration of conference reports, which, of course, are important, but which can be then taken up and will not interfere with the appropriation bills.

Mr. President, I will be very glad, as soon as the new print comes in, which I expect will be very shortly, to take up this bill and run it as long as possible this morning. I do not give any formal notice, for that does not add anything, but I shall seek, as soon as the amended bill is here for Senators to follow, to take it up, and I hope Senators who are interested, as they are, in other matters will see the force of getting this bill out of the way.

Mr. GALLINGER. Mr. President, I very fully appreciate the suggestion that the Senator from Maine has made as to the necessity for haste in the matter of considering these great appropriation bills, and so far as I am concerned I certainly shall not in any way interfere with the wish of the Senator, except that I trust if the print comes in before 2 o'clock the Senator will not insist upon taking up the bill before that hour as I have had consent, after the routine morning business, to further consider a bill that is of exceeding importance—in a smaller way, of course, than appropriation bills, but of exceeding importance to the traveling public.

Mr. HALE. That will be entirely satisfactory if I do not meet at 2 o'clock with some Senator who desires to speak upon the canal measure, which comes up at that time.

Mr. KITTREDGE rose.

Mr. HALE. Senators know how practically impossible it is with any measure to take a Senator from the floor who desires to speak. The suggestion made by the Senator from New Hampshire would be entirely agreeable and would give the Senate the opportunity of considering the appropriation bill for the rest of the day.

Mr. GALLINGER. Considering the celerity with which the Senator from Maine disposes of appropriation bills, I think he need have no apprehension that there will be great delay in passing the bill he has in charge at the present time.

Mr. HALE. The Senator from Maine is equally confident with the Senator from New Hampshire that when the bill gets up the Senator from Maine will not delay it. That is very certain. Let us see what the Senator from South Dakota has to say about 2 o'clock.

Mr. KITTREDGE. The Senator from Alabama [Mr. Morgan] wishes to address the Senate at 2 o'clock on the unfinished business.

Mr. HALE. Now, the Senate sees exactly the trouble I will be in at 2 o'clock. The Senator from South Dakota announces that the veteran Senator from Alabama desires, I suppose, to occupy the day, and I shall meet there more trouble than I meet now with the District railway bill.

What I am seeking is that every Senator, no matter what he has got, will help to get this bill through. But I can see, Mr. President, if nothing is done before 2 o'clock, and the Senator from Alabama having made his arrangements proposes to deliver what will be a great speech and an extended speech, the day is gone.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Wyoming?

Mr. HALE. Yes; I am inviting suggestions, because I know the Senate feels as I do—that it is very important in the marshaling of its business that this great bill shall be gotten out of the way and sent to the House, so that we can get into conference upon it. I invite suggestions. I want to be helped out.

Mr. WARREN. I was going to suggest to the Senator from New Hampshire that possibly he would hardly be able to finish the measure which he has in charge by 2 o'clock, and as he has learned that the floor will be taken at 2, possibly it would suit him just as well to lay the District measure over until we finish the consideration of the sundry civil bill.

Mr. GALLINGER. I will say in reply to the Senator from Wyoming that I trust I shall be able to have the consideration of the bill in which I am interested completed by 2 o'clock. I will say, further, that unless the bill is completed pretty soon I shall not press its consideration at all, because if it amounts to anything it must go to the other House and have the concurrence of that body. As we are nearing the day of adjournment, Senators will understand the necessity for prompt action, if any action be taken.

Mr. HALE. Mr. President, I make this suggestion, almost as in extremis: If the Senate will give an evening session for the consideration of the sundry civil appropriation bill, it can all be

finished, except that part of it relating to the Panama Canal, which will be settled by the action of the Senate to-morrow.

Mr. WARREN. I hope the Senator will ask for an evening session.

Mr. HALE. I ask, or I will move, that the Senate shall meet at 8 o'clock this evening. I have no doubt we can finish the bill then, with that exception.

Mr. BERRY. Is it understood that nothing except the appropriation bill will be considered this evening?

Mr. HALE. Nothing except this bill. The evening session is to be devoted to the consideration of the sundry civil appropriation bill.

The VICE-PRESIDENT. From what hour?

Mr. HALE. My motion is that when the Senate takes a recess, say at 6 o'clock—

Mr. KEAN and others. Not later than 6.

Mr. HALE. I move that the Senate shall take a recess, not later than 6 o'clock, until 8 o'clock, the evening session to be devoted to the consideration of the sundry civil appropriation bill.

The VICE-PRESIDENT. The Senator from Maine moves that the Senate take a recess, not later than 6 o'clock, until 8 o'clock this evening. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

Mr. HALE. I am very much obliged to the Senate.

EDWARD KING.

Mr. BURROWS. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 5221) for the relief of Edward King, of Niagara Falls, in the State of New York, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to Edward King, of Niagara Falls, in the State of New York, \$90, said sum being the amount paid to the United States Government for duties on certain horses imported by him at Buffalo, N. Y., and which said horses were afterwards discovered to have been stolen by one William Potts in Canada, and which were, after their importation, returned by Edward King to their rightful owner.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RESURVEY OF LAND IN BACA COUNTY, COLO.

Mr. PATTERSON. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 9343) providing for the resurvey of certain townships of land in the county of Baca, Colo., to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I ask that the message of the House on the agricultural appropriation bill, which is on the table, be taken up.

Mr. BLACKBURN. Let us get through with reports of committees.

Mr. CULBERSON. Mr. President—

Mr. PROCTOR. I will yield for morning business that takes no time, but it is very important to get the agricultural bill into conference.

Mr. CULBERSON. I have a Senate resolution to offer, which I would be glad to have adopted. I do not think it will create any discussion. I hope it will not.

Mr. PROCTOR. I think the Senator will see the importance of action on the appropriation bill.

Mr. CULBERSON. I do; but we shall be in session for a couple of weeks yet, I think.

Mr. GALLINGER. I suggest that the Senator from Vermont has a right, under the rule, to ask that the matter be laid before the Senate.

Mr. CULBERSON. I am not insisting, but I suggest to the Senator from Vermont to yield to morning business, and let us get through with the morning business before taking up the appropriation bill.

Mr. PROCTOR. I am very good-natured this morning, and I will yield moderately. The junior Senator from Nebraska [Mr. BURKETT] was on his feet before I rose. I will yield for a short time for morning business that leads to no discussion.

The VICE-PRESIDENT. Reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. BURKETT, from the Committee on the District of Columbia, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 4670) to provide for the control, administration, and support of the public schools of the District of Columbia;

A bill (S. 4671) to determine and regulate the salaries of officers, teachers, and other employees of the board of education for the public schools of the District of Columbia;

A bill (S. 2069) to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia;

A bill (S. 2323) to determine and regulate the salaries of officers, teachers, and other employees of the board of education for the public schools of the District of Columbia;

A bill (S. 2322) to provide for the control, administration, and support of the public schools of the District of Columbia;

A bill (S. 2324) to amend the act relating to the organization of the board of education in the District of Columbia, and for other purposes; and

A bill (S. 2475) to provide for the control, administration, and support of the public schools of the District of Columbia.

Mr. BURKETT. I wish to state that while these bills have been indefinitely postponed, the same matter practically is covered by the school bill which we passed the other day.

Mr. BLACKBURN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 13193) to prohibit the killing of wild birds and wild animals in the District of Columbia, reported it with an amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1148) granting an increase of pension to Marion F. Halbert;

A bill (H. R. 19389) granting an increase of pension to Lewis Marquis;

A bill (H. R. 1836) granting an increase of pension to Hiram B. Thomas;

A bill (H. R. 15945) granting a pension to Cynthia A. Compton;

A bill (H. R. 18769) granting an increase of pension to Louisa Story;

A bill (H. R. 19337) granting an increase of pension to Elizabeth C. Kennedy;

A bill (H. R. 19091) granting an increase of pension to Ernest Langeneck;

A bill (H. R. 19538) granting an increase of pension to Sarah Jane Dougherty;

A bill (H. R. 16411) granting an increase of pension to Newton Moore; and

A bill (H. R. 18543) granting an increase of pension to James M. Follin.

Mr. McCUMBER (for Mr. GEARIN), from the same committee, to whom was referred the bill (H. R. 2212) granting a pension to John B. Johnson, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. TILLMAN introduced a bill (S. 6491) granting an increase of pension to Joseph H. Abbey; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 6492) to correct the military record of James Devlin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT (for Mr. DEPEW) introduced a bill (S. 6493) to authorize the city of Buffalo, N. Y., to construct a tunnel under Lake Erie and Niagara River, to erect and maintain an inlet pier therefrom, and to construct and maintain filter beds for the purpose of supplying the city of Buffalo with pure water; which was read twice by its title, and referred to the Committee on Commerce.

Mr. WARREN introduced a bill (S. 6494) to provide for the purchase of a site and the erection of a public building thereon at Lander, in the State of Wyoming; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ALLEE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6495) granting an increase of pension to Joseph B. Lyons; and

A bill (S. 6496) granting an increase of pension to Thomas D. G. Smith.

Mr. CLARK of Wyoming introduced a bill (S. 6497) to authorize officers and employees of Executive Departments to administer oaths when specifically designated for that purpose by the head of the Department with which they are connected; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 6498) to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.," approved April 20, 1904; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. LONG introduced a bill (S. 6499) for the relief of Lurana Harpole; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 6500) granting a pension to William S. Sykes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 6501) for the relief of William F. McKimmy, administrator of John McKimmy, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 6502) for the relief of George K. Hathaway, administrator of John R. Hathaway, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WETMORE introduced a bill (S. 6503) granting an increase of pension to Fannie A. Moore; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SIMMONS introduced a bill (S. 6504) for the relief of the estate of Levi T. Oglesby; which was read twice by its title, and referred to the Committee on Claims.

PUBLIC BUILDING AT BUTTE, MONT.

Mr. CLARK of Montana submitted an amendment proposing to appropriate \$15,000 for acquiring additional grounds and necessary improvements for the same for the Federal building at Butte, Mont., intended to be proposed by him to the public-buildings bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COL. FRANCIS A. MACON.

Mr. SIMMONS submitted an amendment authorizing the Secretary of the Treasury to credit in the account of Col. Francis A. Macon, disbursing officer North Carolina Organized Militia, the sum of \$1,194.19, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

INTERSTATE LIVE-STOCK INSURANCE COMPANY.

Mr. CULBERSON submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Attorney-General of the United States be, and he is hereby, directed:

1. To send to the Senate full copies of all correspondence between the Department of Justice and the United States attorney for the District of Columbia relating to the Interstate Live-Stock Insurance Company, of the District of Columbia.

2. State what action, if any, was taken by the United States attorney for the District of Columbia in reference to the operation of said Interstate Live-Stock Insurance Company, and if any action was taken by him, state the result thereof. If any legal proceedings were taken against said company by the United States attorney for the District of Columbia, state what they were; and if such proceedings have been discontinued, state the reason for such discontinuance.

CLAIMS OF POSTMASTERS IN TENNESSEE.

Mr. FRAZIER submitted the following resolution; which was referred to the Committee on Post-Offices and Post-Roads:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to have stated in the Sixth Auditor's Office the salary accounts of former postmasters, named on annexed memorandum schedule, who served at post-offices in Tennessee in terms between July 1, 1864, and July 1, 1874, and who applied to the Postmaster-General prior to January 1, 1887, for payment of increased salary under the act of March 3, 1883, such salary accounts to be stated upon the registered returns of each postmaster for each term of service specified on memorandum schedule hereto attached, and by the method and rule laid down by the Postmaster-General for the statement and payment of salary accounts of former postmasters under the act of March 3, 1883, in his public order of February 16, 1884, directing payment of salaries by commissions and box rents, less the salary paid at time of service; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the Sixth Auditor all the data now in his hands pertaining to each and every such claim specified on the memorandum schedule hereto attached; and the Secretary of the Treasury is hereby directed to report

* For memorandum see Senate resolution No. 154.

to the Senate such stated salary accounts of former postmasters as soon as they can be made ready.

COAL, LIGNITE, AND OIL DEPOSITS.

Mr. LA FOLLETTE. I offer the concurrent resolution which I send to the desk.

The concurrent resolution was read, as follows:

Whereas the Government of the United States owns more than 40,000,000 acres of public land underlaid with coal and lignite deposits and large areas of public land containing oil deposits; and

Whereas the future industrial development of the country, its heat and power and light, are largely dependent upon this supply of coal, lignite, and oil; and

Whereas these public lands are subject to entry and sale and are entered and sold to individuals and are rapidly passing under the control of corporations that are thus acquiring a monopoly of the coal and oil supply; and

Whereas it is in the interest of the coal and oil consumers of the country that the extent and character of these deposits be accurately determined so that the country may know the amount of its fuel supply and may adopt such measures as will conserve it for the benefit of the whole people: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Interior cause to be made a thorough investigation of the coal, lignite, and oil deposits of the United States and report to Congress the nature, extent, and best methods of mining the same so as to operate them with the least amount of waste.

Resolved, That the President be authorized to withdraw from entry and sale all public lands known to be underlaid with coal, lignite, or oil and all such lands which, in the judgment of the Director of the Geological Survey, contain deposits of coal, lignite, or oil, and that all such lands be withheld from entry or sale until such time as Congress shall determine otherwise.

Mr. HANSBROUGH. Mr. President—

Mr. LA FOLLETTE. I simply wish to ask that the resolution may lie upon the table.

The VICE-PRESIDENT. The resolution will be printed and lie on the table.

Mr. LA FOLLETTE. I give notice that I shall call it up as early as possible for action, at which time I will submit some remarks.

Mr. HANSBROUGH. I will ask the Senator from Wisconsin when it is his intention to call up the resolution. Does the Senator intend to call it up to-morrow?

Mr. LA FOLLETTE. I did not hear the Senator.

The VICE-PRESIDENT. The Senator from North Dakota asks when it is the purpose of the Senator from Wisconsin to call up the resolution just submitted.

Mr. LA FOLLETTE. As early as possible.

The VICE-PRESIDENT. No definite date is stated.

Mr. LA FOLLETTE. In the next few days, if I can get the attention of the Senate.

Mr. WARREN. I should like to make a suggestion to the Senator from Wisconsin. As this is a very important matter, I hope before he calls it up and addresses the Senate he will give at least a day's notice.

Mr. LA FOLLETTE. I will do so.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I ask the Chair to lay before the Senate the message from the House of Representatives relative to the agricultural appropriation bill.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to certain amendments of the Senate to the bill (H. R. 18537) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907, agreeing to amendment No. 29 with an amendment, and requesting a conference on the disagreeing votes of the two Houses.

Mr. PROCTOR. Mr. President, I make the ordinary motion that the Senate insist upon its amendments and agree to the conference asked by the House, the conferees to be appointed by the Chair.

Before the motion is put I think I ought to say a word about the principal points of difference upon Senate amendment 29, that the differences may be fully understood by the Senate.

There are two points which seem of most importance. One is that the House in its amendment has stricken out the provision of the Senate amendment that the date should be placed upon the cans. I believe that is a proper provision, but I do not propose to discuss it, as I presume there are other Senators who have given it more attention who will speak upon it. I make this brief preliminary statement because I would like to hear from other Senators upon these matters. I know it will be urged in favor of the House provision striking out the date that it is not of great practical importance; that dealers will hardly stock up a year's supply or more, and that they will in the interest of business sell the oldest first. But I think it is a proper and a wise provision to put the date on the label.

In regard to the other provision, the cost of inspection, it seems to be a radical departure and a very unwise one for the Government to defray this expense. I do not look upon it as a

tax that can be put on the cattle grower or upon the consumer. It is a very small one at the most. I look upon it as a proper expense of advertising that should be charged to that account. These packers do a large amount of advertising, and certainly they do none that will yield such a tremendous return as this one of having the Government stamp on their products.

I might cite the oleomargarine law as an illustration. There is a tax of one-quarter of a cent upon renovated butter. The result of that very small tax has been that the production of that article has increased largely—I think nearly double—and that it has yielded an income to the Government of about double the expense of administering it.

There has been a good deal of pressure brought to bear regarding this expense, and multitudes of telegrams have been received. It is plain, in looking them over, to see that they emanate from Chicago, and they are sent to different sections of the country to be forwarded to Congress. Many of them are in almost identical language. Several of them have a mistake in grammar, which is repeated identically in different telegrams. Here is a package of them, in which the sender asks "prompt action in passing meat-inspection bill providing for rigid inspection at Government expense." That identical expression occurs in a large number of the telegrams, and, in fact, in nearly all of them that have been received. Here is another with the same expression, "rigid inspection at Government expense." The same language occurs in this entire package, "rigid inspection at Government expense." Here is another form, perhaps gotten out by one of the other packers. They seem to be adroit packers, not only of meat products, but of men as well. They know how to bring their constituencies into line to have their views represented. This one is probably from another house: "Please urge Secretary of Agriculture and Bureau Animal Industry that Government inspection is thorough." Some words are omitted there. Several others "urge announcement that the Government inspection is thorough and covers domestic and foreign meats." There are still other forms. Here is one that "inspection should be on practical and reasonable lines." This form of expression occurs several times, repeated in the same language, "practical and reasonable lines."

The cost is so inconsiderable that it seems to me entirely impossible that the packers, if they wish, could make any excuse for charging this upon the cattle grower or upon the consumer. I am confident that a charge of 6 cents for cattle and 3 cents for sheep, swine, goats, and calves would cover all the expense. I do not believe in the principle of collecting fees or a tax to be deposited in the Treasury and to be drawn upon to defray the expense, but it seems to me perfectly proper, as in the case of oleomargarine and renovated butter, that the tax or fee should be collected and deposited in the Treasury as other moneys are and that we should appropriate for this inspection entirely independent of whatever proceeds of such tax or fee may be in the Treasury. That is the way it is in the oleomargarine law to which I have referred.

If the Senators will turn to the reprint of the Senate amendment and of the House substitute, which are on their desks, on page 8 of our amendment No. 29, at the fifteenth line, the provision in regard to fees begins:

That the Secretary of Agriculture is authorized and directed to prescribe and fix reasonable fees, etc.

I would suggest that this provision should read:

That the Secretary of Agriculture is authorized and directed to prescribe and fix reasonable fees for the inspection and examination of all cattle, sheep, swine, and goats, not to exceed 10 cents for cattle and 5 cents for calves, sheep, swine, and goats, maintained in accordance with the provisions of this act, and the said fees shall be uniform throughout the United States and shall be collected by the Secretary of the Treasury and shall be deposited in the Treasury; and a schedule of such fees, together with the rules and requirements relating to the collection thereof, shall be set forth in regulations prescribed by the Secretary of Agriculture and approved by the Secretary of the Treasury.

These fees probably might safely be reduced to 5 cents for cattle and 3 cents for smaller animals, but of this the Secretary of Agriculture would be the judge.

This, as I have said, seems to me the greatest piece of advertising that any industry could possibly have. There are other lines of business in this country which will be sure to ask for the same provision, and with just claim. The butter and cheese producers, the maple-sugar manufacturers will want it, and many others. As we have already adopted in other measures the principle of a small tax or fee, it seems to me wise to follow in that line. I look upon the House proposition as a very dangerous precedent.

Mr. BEVERIDGE. Mr. President, in common with other Senators, I have read the House amendment to the Senate amendment No. 29 to the agricultural appropriation bill, and I think, speaking by and large, we may congratulate ourselves on get-

ting a very much better bill than any informed man had a right under the circumstances to expect at this session.

TEETH OF BILL REINSERTED.

The amendment, as the House has returned it to the Senate, puts back nearly all the teeth which the House committee at first took out of the Senate amendment; all, indeed, except two, and even one of those two teeth is put back with a gold filling, as it were. I refer to the \$3,000,000 appropriation. Perhaps this for the present year will serve its purpose; it will bite; but it is wrong in principle.

GOOD BILL FOR A BEGINNING.

While in no great reform measure can all that one asks for be expected to be achieved at the first, nevertheless a fairly good bill has been secured with those two exceptions.

Before the conferees are appointed, however, and at the request of the Senator who will be chairman of the conferees on the part of the Senate, I desire to express myself upon those two omissions. Indeed, I desire to do so anyway, because I wish again to be on record upon both of those questions, since they arise almost to the dignity of principles; indeed, I will withdraw the limitation, and say they do rise to the dignity of principles.

LABELS AND COST OF INSPECTION.

The first one is the House amendment to that provision in the Senate amendment which omits the requirement that the date of the inspection be put upon the can or other receptacle in which a food product is sealed up; and the other one is the point to which the Senator from Vermont [Mr. PROCTOR] just now felicitously called attention, the House provision which puts the cost of inspection on the people instead of on the packers.

Before I take those two up—and I shall do so with very great brevity, Mr. President, because I am quite as anxious as anyone that this business shall be concluded—I want to say that one may be permitted to take some pleasure out of the little comedies of legislation; and this House amendment and its history presents one such amusing incident.

I observed the other day that it was asserted with some vehemence by my friend the chairman of the Committee on Agriculture in the other House that the provision for the surveillance of packing houses when closed was in the first House substitute; and yet when the bill comes back to us I find, to my intense gratification, that in the broadest possible terms an additional provision for that very night surveillance is found—that the surveillance of the plant for any and every purpose whatever is put back in the law. So that if it was true that it was in the House substitute before, it is now 100 per cent better in being in there again, and in terms that are quite as broad as in the original Senate amendment. Notwithstanding the assertion that this highly important provision had not been taken out by the House, it is, nevertheless, put back in strong and sweeping language. But if it was not taken out, why has it been put back? But no matter, it is back, and we may rejoice.

Mr. President, with reference to the two omissions which still remain, the two things which the House have not restored, which they took out of the Senate amendment, I desire to express myself briefly. I said a moment ago that each of them rises to the dignity of a principle. The first one was provided in the Senate amendment concerning the dating of the cans or casks or any receptacles in which the packer packs food products. I should like to hear any Senator give a reason why we should not enforce the principle involved, which is that the people have a right to know what they purchase.

PURCHASER SHOULD KNOW THE AGE OF PRODUCT.

It was stated before the House committee that the contents of cans that were five years old were just as healthful and just as good as meat that was but five days old. Possibly that is true, Mr. President; but will any Senator contend that the consumer, that the purchaser of that can, has not the right to know whether it is five years old or five days old?

It was stated before the House committee by Mr. Wilson, representing the packers, in explanation of the circumstance of a large amount of cans that looked very old, scratched up, and otherwise defaced being there, that they were brought in that the labels might be melted off, or taken off by hot water, and new labels put on, thus making the cans look as though their contents had been put in yesterday, when, as a matter of fact, the only thing that was done yesterday was to put on the label.

PEOPLE SHOULD KNOW WHAT THEY PURCHASE.

So that it is possible, under the amendment as it comes to us from the House with this provision, for a can of meat whose contents are five years old to have on it a label which would make the purchaser believe that it was only one day old. That is a fraud upon the purchaser, and I have not yet heard one valid

reason—and I have conversed with many men who are interested in this matter—why the date should not be put on. Have not the people the right to know what they purchase?

GREAT BRITAIN'S RULE.

Two or three days ago we all read about the debate in the British House of Commons, in which one of the members of the House put to the Secretary of War the question whether or not it was possible that the British soldiers were being fed meat the date of inspecting which was not on the tin, and he replied certainly not; that it was a rule of the war office of Great Britain to provide in the contract for food for the soldiers that the date should be put on the can.

Mr. President, if the British soldier is protected by a contract for the stamping of the date on the can so as to know the age of the food he consumes, why should not the American citizen, who is purchasing at home, be protected by a law providing for stamping the date on the can? Is it because the packer knows better what the people ought to eat than the people themselves? Do you say to the people who consume this product, "Here, buy this can of meat; it is none of your business whether it is five days, five months, or five years old; pay your money and eat it and ask no questions. We, the packers, know what is best for you?" Is that position defensible in logic or morals? No; the people have the right to know what they buy.

Mr. HANSBROUGH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from North Dakota?

Mr. BEVERIDGE. Yes.

Mr. HANSBROUGH. I desire to ask the Senator from Indiana whether he has any doubt that hereafter, in the case of American meat being sold to any foreign government, that the government purchasing such meat will require that the date shall be stamped on the can—not only the Government of Great Britain, but any other foreign government?

IF STAMPED ABROAD SHOULD BE STAMPED AT HOME.

Mr. BEVERIDGE. I am glad the Senator asked me that question. In reply I would say, certainly; there is no doubt of it. Everybody knows that from this moment on the precaution which the British Government has taken with reference to this entire matter will be taken by every other government with reference to this matter. The inference necessarily follows that if our meats are to be sent abroad, stamped with the date of their inspection, the stamp should be put on with reference to meats sold at home as to the date of their inspection.

Mr. President, I had thought that this particular phase of the controversy was settled. Some amendments were submitted to me at the end of last week, among which was this, that the provision for stamping the date should be restored as it was in the Senate bill. Later on I was informed that there was an objection to stamping the precise date on the can, but that a compromise had been reached by stamping on the can the year in which the inspection had occurred. But even that has been omitted at the last moment from this bill as it comes to us.

So it occurs to me, Mr. President, that the Senate conferees should insist upon the date going upon the can or the package which contains any meat food products. At least, so far as I am concerned, I desire to go on record with reference to that particular thing. We must all face this question before the people: *Shall the people have a right to know what they buy when they place their money upon the counter and purchase a can of food products?* Have they not the right to know what it is their money pays for? *I wish to be on record that the people have the right to know what they buy.*

IS HIDING THE TRUTH ENCOURAGING BUSINESS?

This reason has been suggested to me—and I believe the Senator from Vermont referred to it—that it would be a hardship upon the grocer that when he had stocked up, and the date appears upon the label upon his goods, after they are a few months old the consumer would refuse to purchase them. But, Mr. President, the converse of that proposition means that they are to be sold to the purchaser only by concealing the date of their inspection. Does the Senate, does any Senator, does any Member of the House of Representatives, want to go before the American people supporting such a proposition as that? Shall business be encouraged by concealing the truth, by deceiving the consumer?

But, Mr. President, would the grocery man's business be hurt? Certainly not. The packer would make an arrangement with the grocer, and would only be too glad to do so, that after a certain time, if any of the old goods remained, they might be returned to the packing house and new goods supplied in their place. To any person who has studied this question it appears that these old goods so returned can then be healthfully treated, reinspected, recanned, and resold under a truthful rep-

resentation of the facts—marked “reinspected,” and with the date thereof. The clothing dealer must abide the change of styles; kodak films are dated—but, according to the House, the packer alone must not abide the consequences of age upon his product. There is no defense for such a position, Mr. President.

CONCEALMENT IS A FRAUD.

The proposition that we are going to hurt the grocery man, which has no foundation in fact, is the only argument that has been urged in support of the House omission of this provision of the Senate. It is not true, of course, but even if it were, no man has the right to foster trade by fraud, and concealing the date of inspection—concealing the age of the meat—is a fraud on the consumer.

WHY SHOULD THE PEOPLE PAY?

Mr. President, the other provision is equally important and equally sound in principle. It may be stated in this question: *Why should the people pay for the packers' inspection, instead of the packers paying for their own inspection?*

I have been impressed by the convincing argument advanced by the senior Senator from Vermont, who said that the packing establishments might well pay for this inspection and charge it to advertising account. Why, Mr. President, it would be worth to the packers not \$3,000,000, not \$4,000,000, not \$5,000,000, but, considering the extent of their business, eight or ten million dollars as a mere advertising proposition, to be able to put upon all of their food products the stamp of the Government's approval. So the argument advanced by the Senator from Vermont, it strikes me, original and novel, is also conclusive.

Does any Senator believe that the packers under present circumstances would not be willing to pay not only the cost of the inspection, but 100 per cent more than the cost of inspection, rather than have the stamp of the Government approval taken away from their goods? So, Mr. President, we are not putting upon the packers any burden, but we are granting to the packers a favor when we require them to pay the expense of inspection. *Shall we do more and give them \$3,000,000 of the people's money every year in addition to the boon we are granting them in the inspection itself?* Why should the people pay for an inspection for which the packers ought to pay?

It has been suggested that if the packers pay this cost of inspection by a system of fees, they will put it upon the producers—the cattle raisers; but, after a moment's examination of the facts, that supposed argument, like all the other arguments that have been advanced against the provision of the Senate bill, disappears. The highest price that any person has suggested as being adequate to the inspection of one head of cattle is 8 cents; the highest price that anyone has suggested as to hogs is 5 cents. The accepted price is 3 cents for hogs, sheep, and goats, and 5 cents to 8 cents for cattle.

ARGUMENT AN AFFRONT TO INTELLIGENCE.

Now, Mr. President, in the case of a steer weighing 1,400 pounds, could any person distribute the 8 cents, which it would cost to inspect that steer, over those 1,400 pounds so as to enable the packer to say to the cattle raiser: “I have got to pay 8 cents for inspecting this steer; therefore I will reduce the price I pay you one-fourth or one-sixteenth or any other fraction of a cent a pound?” *It is an affront to the intelligence of thoughtful men to make such a suggestion as that.* The farmers who raise cattle are not fools.

On the other hand, the cost can not be put upon the consumer, for the same reason. Take the 8 cents which the packers pay under the fee system for the inspection of a steer weighing 1,400 or 1,600 pounds. That 8 cents can not be distributed over the hundreds of pounds of the product that comes out of that steer so as to justify the packers before the public opinion of the country, which hereafter they must take into account, in raising the price of a steak a quarter of a cent, or a sixteenth of a cent, or any other fraction of a cent a pound. If they did it, it would be a ruthless exercise of power which would arouse an indignation against them, which at the present time, I think, they are not courting.

THE PACKERS WOULD HAVE TO PAY.

So, Mr. President, the reports that were sent broadcast by the packers in trying to arouse the fears of the cattle raisers on the one hand and the fears of the meat consumers upon the other hand, that the packers would pass the price of inspection on to the producers and the consumers, evaporate when we examine the facts. Mr. Wilson, representing the packers before this House committee, frankly stated that not the producers and not the consumers, but the packers themselves must pay the charge of inspection if it were put upon them by the fee system. It is one of those charges, Mr. President, that comes out of the pack-

ers' profits, and that is one of the reasons why they object to paying it.

DIFFICULTY OF A SUFFICIENT APPROPRIATION.

The other reason is perhaps the most critical reason why the appropriation system should not be followed and why the fee system should be followed, and that is the very great difficulty in getting sufficient appropriation to furnish an adequate inspection. The fact that we have made an increase of the present appropriation of 400 per cent merely proves that proposition. At the present time, Mr. President, the appropriation for this purpose is about \$750,000. We are partially inspecting perhaps 150 plants. In those 150 plants we are inspecting the carcasses, but not the meat food products. Under this amendment not only must the inspection that at present occurs continue, but an immensely increased inspection of all the plants where inspections occur at all must also be added. So that if we do not add a single one to the present plants that are now being inspected, the plants now being furnished inspection would consume all of your \$3,000,000 the first year of inspection under this act.

NO FAVORITISM TO PACKING HOUSES.

Very well. But there are already, according to the Secretary of Agriculture, in addition to the 150 establishments now inspected, as many as 100 more establishments that need inspection. These are all that he has thus far heard from; but every day the Secretary of Agriculture is receiving news of other establishments that not only need inspection, but that are asking for inspection.

So that, Mr. President, large as the present appropriation is, generous as it is in comparison with the appropriations that we have had in the past, it will be inadequate in a single year if the Government gives to all the packing establishments already actively engaged in interstate commerce the inspection which they ask and which they deserve to have under the law. All packing establishments ought to be treated upon an equality. The great packing houses of Chicago ought to have no better inspection than the smaller and independent packing houses located in some other section of the country.

WHAT A FEE SYSTEM WOULD DO.

The fee system, Mr. President, which was proposed by the Senate amendment, would always raise enough money to give the amount of inspection which the packing houses ought to have instead of the amount of inspection which the packing houses want. The fee system will put into the Treasury enough money to give all establishments, little and big, independent and trust, equally good inspection, and that is something an appropriation does not do and can not do.

Under the fee system, if there is a large business, there will be a large fund in the Treasury derived from the fees, and there will be a large number of inspectors to be paid from that fund. If the business sinks, the fund sinks, and the number of inspectors will be decreased. But according to the appropriation system you will have, after this year, precisely the difficulty that you have had in the past years, and that is the impossibility of getting an increased appropriation, no matter how much the business grows.

DIFFICULT TO INCREASE APPROPRIATION.

I know that this appropriation is made a permanent appropriation, but everybody who is familiar with practical legislation knows that when the Secretary of Agriculture, or the Administration, or any Senator, or any man in public life comes to Congress and asks for an increased appropriation, they will say, “It was good enough for last year, and we think it is probably good enough for this year.”

Well, Mr. President, the meat industry of this country has not reached its climax. This country has not reached the crest of its prosperity. If \$3,000,000 were adequate to-day, which I doubt, it will not be adequate to-morrow. There will be an enormous increase in the consumption of meat and meat food products, and yet every one of us knows, as a practical proposition of legislation, that probably the most difficult thing to do is to get an increase of appropriation, and that probably the easiest thing to do is to get a decrease of appropriation.

Do gentlemen think, do Senators imagine, that the beef business of this country is going to pause just where it now is? Mr. President, it will be as much greater to-morrow than it is to-day as it is greater to-day than it was yesterday. Therefore the appropriation system is entirely inadequate.

HOUSE AMENDMENT MAKES THE PEOPLE PAY.

In the amendments submitted to me last Friday there was a provision for an appropriation of two or three million dollars, and then a provision (which was the better provision for the whole measure) that if that proved insufficient, that thereafter the fee system might be employed. That, Mr. President,

would not be as good as adopting the fee system for the whole thing and making the packers pay entirely for their inspection; but it would be much better than the present provision of the House amendment, *which makes the people pay entirely for the packers' inspection.*

FEES IN OTHER CASES.

There is nothing novel in this proposition. National banks pay for their inspection; the immigrant who comes to these shores pays for his inspection; and, as the Senator from Vermont pointed out, the producer of oleomargarine pays for his inspection.

I want to return just a moment and ask Senators to consider this: If it is conceded that the meat industry will grow, as it must be conceded; if it is conceded that where we have now 100 packing establishments we will have in a few years hundreds more, as it must be conceded; if it is conceded, as it must be, that the number of packers will multiply as the years pass; and if it is conceded, as it logically must be, that Congress proposes to keep pace with that business in the increase of its appropriation for inspecting that growing business, will Senators tell me where such appropriations are going to end?

If \$3,000,000 a year is necessary now, as is conceded by the House provision, will it not require \$5,000,000 in coming years and millions more as the time passes and business grows? Are we to apply that principle to every inspection that is necessary under our Government? If we are, Mr. President, I ask Senators and every man who is responsible to the people to tell me where that drain upon the Treasury will stop.

THE INDUSTRY, NOT THE PEOPLE, SHOULD PAY THE FEES.

The truth about it is, Mr. President, that the scientific way to raise the money to pay the cost of inspection of any industry that ought to have inspection is to make the industry itself pay for that inspection. I see about me members of the Appropriations Committee and other Senators who will be members of the Appropriations Committee because of their special aptitude in those lines—men who are familiar with this question of the drain upon the people's money—and before I close this part of the argument I call their attention to this serious fact: If it is now necessary to take \$3,000,000 of the people's money out of the Treasury of the United States to pay the cost of inspection, which the packers themselves ought to pay, will not \$5,000,000 and then \$10,000,000 and then other and increased millions be required in the future? And if you apply that principle to everything that has inspection in the United States, how much will you be annually appropriating out of the money of the people to pay for inspections that ought to be paid for by the business itself?

Yesterday I was talking to my friend the Senator from North Dakota [Mr. McCUMBER]. He said, giving an admirable illustration, that in Dakota the man who took a load of wheat to market had to pay the cost of inspecting that wheat, and not the Government. Then why, Mr. President, make an exception of the packer? I have nothing against the packing industry—the packers must stop their evil practices—but I have nothing against the industry. I have nothing against any legitimate industry of this country; but I see no reason why packers should be singled out and made the recipients of the bounty of the Government. I see no reason why, to use the language of the Senator from Vermont, they should not only not have to pay for their own inspection, but, in addition to that, should be given an advertisement worth 100 per cent more than the \$3,000,000 which the inspection will cost.

GOVERNMENT INSPECTION A GOOD ADVERTISEMENT.

Does any Senator imagine that they would not rather give \$6,000,000, under present circumstances, than to have the privilege of stamping the Government's approval upon their goods taken away from them? They want inspection enough to get the Government's indorsement; and they do not want any more inspection than that. They want inspection enough to enable them to use the Government's approval in selling their goods. They care about no more. They have been resisting any larger inspection than that. That much inspection is "good for business;" more than that is "bad for business."

Now, Mr. President, I shall not detain the Senate any longer. I am anxious to conclude; I am anxious that this bill shall get into conference, and I am anxious that the entire matter shall speedily be wound up. It would not have taken very long to have wound it up if there had been no resistance to the essential provisions of the Senate bill.

Much has been said about the agitation that has occurred. If any agitation has been caused, *the packers themselves and they alone and no person else is to blame for it.* Had there been a disposition to have accepted practically what has now

been accepted, I imagine there would have been no such agitation.

AGITATION HAS NOT HURT BUSINESS.

It has been said, Mr. President, that agitation hurts business; but this agitation, it will be found when the clouds clear away, has not injured business. It will be found that this agitation has put the prosperity of the packing business of this country upon a sound, because upon an honest, basis. It will be found that it has made wrong methods correct and improper practices straight; and in the end it will be found that more than anything that could possibly have occurred it will have restored the confidence of the American people and of all the nations of the world in the products of the American packing house. For, after President Roosevelt signs the bill which this Congress shall send to him upon that subject, every man all over the world will know, having the guaranty of the American Congress therefor, that he can buy with impunity and consume without fear any product which the American packing house places upon the market.

HONEST METHODS MAKE PUBLIC CONFIDENCE.

Mr. President, gentlemen need not be afraid of business being injured. I predict that within a month from the time this bill becomes a law the meat and cattle business of this country will experience a boom beyond the wildest imagination of the most covetous; and that within a year the trade, foreign and domestic, in American meat and American food products will have reached a point higher than ever before in our history. And the best thing about it all will be that that commerce, both foreign and domestic, will continue steadily to mount on the unfailing wings of honest methods and public confidence.

TRUTH DOESN'T HURT BUSINESS.

Mr. President, it does not hurt any business to tell the truth about it and to correct the evils which that truth reveals. *Any business which can be permanently hurt by telling the truth about it ought not only to be hurt, but it ought to be destroyed.* All sound business will thrive upon the facts. It is a mistaken wisdom which makes men think that they can successfully prosper by concealing the truth. The American people are the greatest business people in the world, but it must not be forgotten that they intend to insist that their business shall be conducted by conscience as well as by intelligence and by the rules of right and wrong as well as by the rules of profit and loss.

We want now to make money as much as we ever did, and it is one of our best ambitions; but we intend to insist that every dollar of money we make shall be clean. The American people want no business prosperity that flows from wrong methods and improper practices; the American people will tolerate no prosperity which is poisoned with fraud.

A MORAL REGENERATION OF BUSINESS.

We are in a period of moral regeneration of American business. That regeneration will not injure American business; it will strengthen and increase it. It will expand as well as purify our prosperity; it will make the people richer, and it will make the people happier, because it will give them satisfaction with the money they make. And not every man to-day experiences that pleasure—the pleasure of being satisfied with the money he makes.

We have heard much about the restoration of markets. We have not heard too much on that subject. Markets are a method of civilization. Markets for American products should be the first consideration of American statesmen. But the way to restore markets for our meat and meat food products is to restore confidence in our meat and meat food products.

HOW TO RESTORE CONFIDENCE.

And the way to restore confidence is to enact as nearly as possible, without modification, the amendment upon the subject of meat inspection which passed the Senate.

We have this nearly—not quite, but nearly—in the bill which the House sends to us, as I said in the beginning, a much better bill than any person familiar with the facts under all the circumstances had the right to expect. But, with the two exceptions I have pointed out, it restores the vital features of the Senate measure.

CREDIT DUE TO PRESIDENT ROOSEVELT.

And such improvements over the first House proposition as we now have, such restoration of the Senate provisions as we now have, we owe to the courage, determination, and the absolutely unselfish devotion to the interest of the people of President Roosevelt. From the beginning of the opposition to the Senate bill he has advocated the most rigid and scientific inspection, and it is chiefly to him that we owe the fact that we will get as excellent a bill as we will have.

If the Senate conferees, as pointed out by two of them—the Senator from Vermont, the chairman, and the Senator from North Dakota, another member of the committee—will insist, and if the House conferees will, as I have no doubt they will, agree to put back into the bill the remaining two features which the House has taken out, we shall have accomplished three things in addition to what we have already accomplished: First, the people will know what they are buying when they pay their money for a can of food product; second, the people will be relieved of the cost of the payment of inspection, which the packers ought to pay, for whose benefit it is; and, thirdly, we will have secured for the American people as complete a meat-inspection bill as is now on the statute books of any nation in the world.

Mr. LODGE. Mr. President, this is a very great and very useful measure, one of such importance that I think no apology is required from any Senator for desiring to say a few words in regard to it. Yet I confess it is with some trepidation that I venture to suggest that we can say anything about it here in the Senate, because we are credibly informed that the amendment has been perfected in the House and accepted by the President, so that it may seem audacious even to suggest that this body has still to pass upon it. Nevertheless such is the provision of that much-discussed instrument—the Constitution—and I will take advantage of it to say a few words, because I regard this amendment as of the utmost importance.

Mr. President, I am glad to hear from such good authority as the Senator from Vermont [Mr. PROCTOR] and the Senator from Indiana [Mr. BEVERIDGE] that the amendment as we now receive it from the House is valuable and effective, because there seems to have been a good deal of doubt cast upon its true nature. We were told first that the original substitute proposed by the House Committee on Agriculture was perfectly worthless; that it amounted to nothing as legislation and would have no effect in curing the evils of the packing houses. Then, we were informed that amendments to the substitute had been agreed upon which made it a thoroughly effective and efficient measure. Finally, yesterday, reading what occurred elsewhere I gathered on high authority that these new amendments, so satisfactory to the President and to those who desire effective meat inspection, had simply been put in to sweeten the substitute, that they had no real meaning, and that the measure as offered to the House really did not amount to anything at all.

I hope therefore that we are not being deceived as to the merits of the amendment in its present form; I trust that the opinions expressed by the Senator from Indiana and the Senator from Vermont are correct, and that it is in fact an effective measure to cure what I regard as one of the greatest of existing evils in the daily life of the United States to-day. I should have no doubts of its merits, so far as it goes, were it not for the approval which it seems to receive from its enemies.

Two points, however, have been made by the Senator from Vermont and the Senator from Indiana as to certain serious changes in the Senate amendment. Those two points refer to the labels and as to who shall pay for the inspection. I do not care to discuss them at any length, even if time served; but I desire to say a few words in regard to the matter of dating the labels. It is not the date on the label that we want. It is the date which shows when the Government inspection occurred. When the Government puts its stamp upon an article which is to go out into the whole world, carrying with it the official approval of the United States, the world ought to know just when the United States put that word of approval on it.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. Certainly.

Mr. BEVERIDGE. I interrupt the Senator only to say that if I did not state precisely that as being the original provision in the Senate amendment I was in error, because that is precisely what the Senate amendment did provide for and what I referred to—the date of inspection.

Mr. LODGE. Exactly. What we want is the date of inspection.

Mr. BEVERIDGE. That is right.

Mr. LODGE. The packers say that canned articles of food are just as good five years after they are canned as at the moment of canning. If they like them that way, let them eat them that way. Nobody objects. But I contend, and this is the spirit of all our pure-food legislation, that the public has a right to know exactly what it is buying. If canned meat 5 years old is just as good as meat which has been canned five months, it can not hurt the business of these tender creatures who are doing this packing for us to have the fact known.

People will be just as ready to buy their excellent 5-year-old cans as they will be to buy those that are 5 months old.

When we passed the oleomargarine bill it was argued that oleomargarine was, as a rule, better than most of the butter sold in the market. I am inclined to think it was, but that did not affect the argument one particle. The buyer is entitled to know what he is buying, especially when the article bears the Government stamp, for the Government must never be made party to a fraud. If a man is buying canned food that is five years old, he is entitled to know it. If it is just as good as the freshly canned food and he wants it, that is all right. But when the Government puts its stamp upon an article, the date ought to go with it. Why do they want to keep it off if the old canned meat is just as good as the new? Because I suppose they would say there is a prejudice against age in meat. I suppose there is. I suppose people prefer to eat something that was canned a few weeks since to something that was canned five years ago.

There is an impression—a mistaken impression, the good and disinterested packers say—that five-year-old cans are not as good as those which have been canned within the year. I suppose it is a prejudice. But that is no reason why people should be sold canned articles on the pretense that they were canned this year, when they were, as a matter of fact, canned five years before. It seems to me the proposition is as simple and as unanswerable as possible, and it does not seem to me that the refusal to allow the date of the Government inspection to go on indicates any overwhelming honesty of purpose on the part of the packers and their friends.

Now, as to the payment of the tax. We make the maker of oleomargarine pay the tax for the inspection of his product. We collect from the steamship companies, nominally from the immigrants, a head tax to pay for that inspection service. When we put the Government label on these goods going out from the packing houses, we give them a value which they could obtain in no other way, especially after all that has occurred, and they ought to pay this expense. The inspection tax is a trifle, and it ought to be borne by those who are peculiarly benefited by it.

I do not, however, agree with the cheerful deduction made by the Senator from Indiana that the tax is so trifling that the cattle raiser and the consumer will not be touched by it. We have seen a trifling advance, caused by some accidental occurrence, which would amount to a fraction of a cent a pound on meat, develop, in the hands of the Chicago packers, into a reduction on a steer of several dollars and an increase in price on the meat of this steer which, by the time it reached the consumer in the hotel or the restaurant, amounted to perhaps 20 or 25 cents on only enough meat to make an ordinary meal. A very slight excuse in the past has enabled those amiable gentlemen to cut the cattle raiser on the one hand and to increase the price to the consumer on the other, and they would find in a mill a pound on the steer a reason to advance meat to the people of the United States 5 or 6 cents a pound and to cut down the price to the cattle raiser a good many dollars per head. I apprehend there is a very real danger there, and yet I do not think that that fact affects the principle. It is right and proper that this tax should be paid by those who directly benefit by it, and whose business methods have made severe inspection absolutely necessary.

Moreover, Mr. President, there is another very serious danger in the opposite direction, and that is if we leave the inspection service to an annual appropriation, we shall find very soon that it is a convenient place for economy, and that we are going to cut down inspectors and cut off the expense of inspection until it is impossible to make it effective or efficient.

I for one hope, Mr. President—and it is for that purpose I rose—that our conferees will stand with the utmost strength for the views expressed by the Senate on those two points when they embodied this amendment in the bill. That amendment went through the Senate without debate. If it had been accepted in the same spirit by the House, taken into conference by the House, and then and there settled and put into proper shape and form, with such improvements and modifications as it needed, for undoubtedly all legislation can be improved by consultation, this agitation and this debate would never have arisen. The report would never have gone in. There would, no doubt, have been rumors that such a report existed, but the debate, the agitation, and all that was in the report would not have been spread before the public. But the Chicago packers believed that they could defeat this legislation. They saw fit to make an open contest about it. They have got the report published. They have had their debate. They have had it all pulled over in the newspapers, and I wonder now whether they think it has profited them much in the end.

If I may digress for one moment, let me say that I care very little for the attacks which have come from across the water on this subject. Our neighbors and our rivals in trade are not slow to take advantage of anything of this sort, and the British brother particularly, when anything of this sort happens, rolls up his eyes and holds up his hands and says how wicked we are and by inference how good he is. These evils are not confined to the United States. I read in dispatches which I have clipped from newspapers such statements as these:

BAD MEAT IN OTHER LANDS—BRITISH HORROR OVER CHICAGO AND SOME FACTS ABOUT ENGLISH METHODS—DENMARK AND RUSSIA SEND BAD MEAT TO GERMANY.

NEW YORK, June 15, 1906.

A London cable to the Times says that in spite of the horror affected by the British public over the Chicago packing-house exposures, the English purveyors of food are quite as much addicted to foul practices as those in America. The dispatch quotes the report of a sanitary inspector in the employ of the borough of Camberwell, the revelations of which, the newspaper publishing them says, shows that the indignation poured out on Chicago might as well be turned to give an impetus to the movement for the removal of horrible abuses at home.

For example, the inspector says it was shown recently that a firm engaged in manufacturing tinned "delicacies," such as potted chicken and tongue, had acquired a large quantity of old tinned meat and had worked it over with other materials in circumstances too loathsome to detail. Thousands of tins of putrefying and poisonous meat were seized from this firm.

The inspector alleges that large quantities of diseased meat are brought from the country and sold in London constantly, and instances a number of cases of meat from cows which had died from fever finding its way to London butchers' shops. The inspector says that even the London slaughterhouse butchers, in spite of the inspectors, manage to slaughter and put on the market the carcasses of tuberculous and other diseased animals, and that all sorts of refuse and dirty scraps are put into London-made sausages.

Recently," says the inspector, "I found in a jam factory a collection of dried raisins filled with ants and other insects, rotten-apple pulp, orange peel, some filthy macaroni, a lot of blown tins of apricots, and other refuse bought from grocers' shops as unfit for food. It amounted to 9 hundredweight in all, and was being trefixed and made into jam."

In a confectioner's the inspector found a case of 500 absolutely rotten eggs designed for use in pastry and creams. There was not a good egg in the place. The inspector says a good many London confectioners invariably use rotten eggs in the preparation of their delicacies.

At a time when the whole world is holding America in contempt, it seems worth while to point out that all the conscienceless food purveyors do not live in the United States.

Again, on June 18:

BAD MEAT FROM BRITISH COLONIES—MORE THAN A TON OF TINNED FOODS DESTROYED DAILY FOR FIVE YEARS.

LONDON, June 18, 1906.

The report of Doctor Thomas, the medical officer of the borough of Stepney, to the local government board shows that his department during the past five years has destroyed over a ton of rotten tinned foods daily at the Stepney wharves. These, he adds, were not American goods, as practically no canned goods from American concerns are imported through the Stepney wharves, but were colonial meat, fish, and fruit. The medical officer says he found New Zealand raspberries treated with sulphur to preserve them. On their arrival in England, the raspberries were soaked in an aniline bath to restore their color. He considers that diseased meat once canned will easily defy detection and that a strict examination of the carcasses at the time of slaughtering is the only means of protection. Doctor Thomas incidentally asks what becomes of the tongues of the great number of horses slaughtered yearly in London. He says he has never seen a horse's tongue exposed for sale and labeled as horse's tongue. He urges that increased powers be given to the public health departments.

Last night, by mere accident, I read a reprint of an article which originally appeared in the Contemporary Review. I want to read a single paragraph from it. It is called "The parson and his flock."

To judge by what the bishops and the press have been saying lately, commerce is homogeneous. It is rotten all through. House dealing, horse dealing, picture dealing—ask anyone who has had an outsider's experience of these walks of life whether they do not reek of fraud. Adulteration is all but universal. Respectability in the shop-keeping class is a white sheet thrown over practices which infect the air employees have to breathe. Shopmen must lie to live. Shopgirls who answer honestly questions put to them by Government inspectors are turned into the street. How capital treats labor let the London poor declare. Morality, even in the country, is a veneer. Intemperance hardly takes the trouble to walk straight at noonday. The rights of the poor are annexed by the rich with the effrontery of impudence that almost staggers belief. The bishop of Salisbury has just called his laity to account in a letter which reads like a confession of failure. Debt, drink, impurity, gambling, extravagance; shifty, lying customs of trade or business, reciprocal failure of duty of servants and masters—on all these points the bishop feels apparently that the ordinary machinery of the church is powerless to control the conduct of her lay members.

Mr. President, there is a description of English business in an important English review by a serious writer, and I call attention to these things not for the sake of palliating or excusing what has happened here, but because I am a little weary of this continuous talk which I see in virtuous foreign newspapers of how bad we are. When the insurance frauds appeared—and bad enough they were, Heaven knows—you would have supposed that England had never heard of Hooley, had never heard of the noble guinea pigs on the boards of directors, had never heard of the Whittaker Wright case, had never heard of the horse-buying scandals which occurred in this country under our eyes during the South African war. I do not bring

up those things here to say to another country, "You are another," or to point out how bad some one else is and how good we are. I bring them up here to show that conditions are bad in other countries, and that what concerns us is not to use this as an excuse, but to make ourselves better and above reproach.

The methods of the people over in England are different from ours. If anything disagreeable occurs there, they smother it up. They set to work to cure it, but they say as little about it as possible. They try to forget it, and they say, "All is right, and see how bad the French and the Germans and the Americans are." Our way is different. We pull everything out into the open. We make it appear not only as bad as it is, but we make it appear usually ten times worse than it is. We drag all the dirty linen out and shout and shout for fear people will not pay attention to it. On the whole, I think ours, unjust as it often is, is the better way, for I think it shows that there still remains among us a capacity for honest public indignation with wrong. I believe that the American people are an honest people, and that the mass of the American business men are honest men; and that is the reason why I feel as strongly as I do about this group of packers in Chicago, who discredit us all and injure our good name everywhere. They are exceptional. We have not heard from the other packers in other parts of the country. We have not heard any protests from the cattle raisers. It has all come from that one group of men.

They began by saying that everything was all right. What did Mr. Neill and Mr. Reynolds know, forsooth? You wanted experts to see that a room was dark. You wanted experts to tell you whether the air was bad. You wanted an expert to tell you whether the floor was dirty. They made light of it and belittled it.

Mr. President, on the 7th of June, when this thing began, I read this dispatch from Chicago:

PACKERS WILL CLEAN UP—CHICAGO BUILDING AND SANITARY INSPECTORS ORDER CHARGES TO COST \$1,000,000.

CHICAGO, June 7, 1906.

That improvements costing nearly \$1,000,000 would be ordered in the stock yards was the statement of Building Inspector Bartzzen and Sanitary Inspector Perry L. Hedrick to-day.

State or municipal inspectors in Illinois.

Bartzzen said the changes required in the buildings to conform with the city ordinances and correct the violations found by the inspector would cost more than \$300,000 and may reach \$700,000. Mr. Hedrick said the sanitary improvements, as far as he could estimate at present, would cost at least \$300,000.

Mr. Bartzzen said further that if any of the buildings at the stock yards were found in a dangerous condition he would close them, but the packers have assured him that they would make all the changes ordered. Superintendent Young, of Swift & Co., is quoted as saying that the packers would go to any expense to make their plants safe for employees and to conform with the building laws.

"All the packers want are suggestions to clean up, and they show a willingness to follow them out," Mr. Hedrick said.

Plumbers are expensive, but \$300,000 will go a good way, even in plumbing. Yet that was a place where, according to the packers and their friends, nothing needed to be done. These poor theorists from Washington had gone out there and misrepresented things, for when experts of the packers looked everything was all right, and yet after this agitation began two native experts went there and looked, and behold they said that a million dollars must be spent in the most necessary improvements. On June 16 I find this from Chicago:

PACKERS MUST CLEAN HOUSE—OFFICIAL NOTICE ISSUED BY THE CHICAGO HEALTH DEPARTMENT TO NELSON MORRIS & CO.—DEFINITE STATEMENT OF IMPROVEMENTS REQUIRED.

[Special to the Transcript.]

CHICAGO, June 16, 1906.

The city health department has sent its first official written notice to the packing companies at the Union Stock Yards to improve the sanitary conditions of their plants. It was sent to Nelson Morris & Co. by Chief Sanitary Inspector Perry L. Hedrick. The packers were instructed—

To do what?—

that they must within three days discard the filthy tables and benches—

Those were the things that Mr. Neill and Mr. Reynolds imagined, which had no real existence—

provide cleaner rooms and tools, and correct some of the present insanitary conditions. Structural changes in the buildings, including new toilet rooms and more ventilation and light must be made within thirty days. These conditions must be changed at once. The improvements ordered in the various departments are: Rats and vermin must be excluded from the meats by floors and walls of concrete construction, special receptacles must be maintained to receive all the meat which falls upon the floor, all pieces of meat which fall upon the floor must not be laid upon the floor, cuspidors containing a disinfectant solution must be placed upon all floors, and no employees must be permitted to spit on the floor. The cuspidors must be regularly and effectively cleaned.

All employees who handle food products must be clean in their personal habits and attire, and must wash their hands before beginning

work throughout the day. All unsanitary toilet rooms must be removed and approved toilet rooms and washing facilities for all employees must be provided with clean towels and plenty of soap. Employees must not be permitted to sit on the tables or workbenches, and seats must be provided for women employees. This notice will be followed with similar notices to other packers whose plants have been inspected and who have been found wanting.

John Brisben Walker, en route to Denver yesterday, was invited by Swift & Co. to inspect their packing plant, Mr. Walker being deemed a radical of fair mind who would put matters exactly as he saw them. Mr. Walker expects to see and hear labor leaders and workmen, and go to the bottom of the stock-yards business. When this report has been completed Mr. Walker will address it to President Roosevelt.

Those changes were ordered by the local building inspectors on the spot, and they have been made since this agitation began.

Mr. HANSBROUGH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from North Dakota?

Mr. LODGE. I yield to the Senator from North Dakota.

Mr. HANSBROUGH. In connection with what the Senator from Massachusetts has said in respect to the investigation made by Building Commissioner Bartsen, I call attention to the following telegram:

CHICAGO, June 6, 1906.

Building Commissioner Bartsen personally went to the hog-killing department of one of the large packing houses to-day, and described the conditions he found there as "filthy and dirty." He characterized the room as a "dirty hole, unfit for the use to which it is put."

In the portion of the plant where cattle are killed and dressed the walls were covered with calcimine scarcely dry—

Showing that after this agitation commenced they began to clean up—

He said there is not a modern building in the entire district devoted to the packing industry. The majority of them, he declared, "are dilapidated, filthy, and unfit for such use as is made of them."

Mr. LODGE. I am obliged to the Senator. That confirms precisely the point I was making. These foul conditions were there. They were there in defiance of decency and law—of local laws—building laws of Chicago and of Illinois, which, I have no doubt, are excellent.

What has been the history of that group of men who run those packing establishments? It has been a history of utter defiance of law and of public opinion. It is only the other day that they were convicted of violating the Elkins law in connection with the Burlington and Quincy road. They barely escaped another charge under the immunity decision. It is less than a year since Sulzberger—if that is the name—was fined \$25,000 for a violation of the law. They have been going on for years in that way, with a coarse defiance of public opinion and of the law.

A few years ago I saw in the Evening Star an interview with Mr. Nelson Morris. It is admitting myself to be deplorably ignorant, but at that time I had not the faintest idea who Mr. Nelson Morris was, and I ought, of course, to have known our greatest men. It appeared by this interview that Mr. Morris had a son who had gone to some university and developed a fondness for books, and his father had allowed him to go abroad to study at some foreign university in continuation of the courses which he had been pursuing here. He had now summoned him home, and the newspaper reporter inquired of him why the young man had been called back. "Why," he said, "I let him go abroad for a little while. He had a fancy for books." The tone was exactly as if he had said "I thought he had better go abroad and sow his wild oats." "I allowed him to go abroad. He had a fancy for books, and I let him study a little while, and he wanted to write a book; but he has got something better to do than that. I can hire men to write books, but he has got a big packing business, the like of which is not in the world. He can not waste time in studying and writing books."

It has occurred to me once or twice, Mr. President, that this agitation, which I think even those packers probably regret, was brought on by a man who wrote a book, and it may occur to some of them out there that literature is not so contemptible a thing after all.

Mr. President, what struck me about that interview was not the sordid vulgarity of it. That is common enough perhaps among men of that type. What struck me about it was the contempt which was displayed for everything that we in America have held to be our ideals. Despite the eager race for wealth and money that we have had and that has been natural enough in a new country like ours, despite our devotion to material success, Americans have always held and now hold education in profound respect. They have always, I believe, in all parts of the country without exception held in respect the man who without regard to the heaping up of money has devoted his life to learning or to teaching, to being a clergyman or a physician. They have admired and revered the men who have given themselves to those things which we are fain

to believe are of more importance than mere material success, than mere money.

When I read that interview which spoke with a sneer of everything that I had been brought up to believe was honorable and of good repute, and what I believe all other Americans look up to and respect, it revealed to me a condition of mind which I think may be characterized as eminently dangerous to the Republic. Heaping up money in this way, regardless of law, regardless of the employees, regardless of the public health; openly defying public opinion; so far as I know, never doing one thing to make one corner of the earth a little better or a little happier for their presence in it—it is a sorry picture.

Mr. President, it seems to me that men of that sort, who cherish such beliefs, at least, should be made by Congress and by State legislatures to live within the law. Why should they alone be excepted? Why should we leave them out when we tax other men for the purposes of inspection? Why should we leave them out any more than we should leave the Standard Oil out of the rate bill? Why should we except the greatest and most obnoxious combinations now extant in the country from the operation of laws which we propose shall fall upon all alike?

Mr. President, I have no sympathy whatever with the socialistic movements that are going on to take possession of all sorts of business and all so-called "public utilities," whether municipal, State, or national. I believe the movement, if successful, means the destruction of the Government, which we reverence and love and which it has taken us a hundred years to build up.

But I say, Mr. President, and I say it in all seriousness, that those packers in Chicago and those owners of the Standard Oil have done more to advance socialism and anarchism and unrest and agitation than all the socialistic agitators who stand to-day between the oceans.

People do not like to see their food tampered with in order to increase profits already huge, and made the sport of mere insensate greed for money. The people also believe, and believe rightly, that those men should be made to obey the law. I declare now that the one thing more important than who pays the tax is that those men should be put on the same basis as other American citizens who have their goods inspected and sent out to the whole world with the Government stamp upon them. I am not asking that they be persecuted or hunted down. I am asking that they have the justice which they would deny to others, but which we in Congress are bound to give to all Americans alike.

Mr. WARREN. Mr. President, I had been led to believe, through conversation with Members of the other House, Members of this body, and with the Executive, that we had arrived at a reasonable degree of unity as to the meat-inspection amendment to the agricultural appropriation bill finally decided upon in the House. I had supposed that when it came up in the Senate from the conferees the Senate would act as promptly and as unanimously as they did when the matter was first presented here and introduced into the agricultural appropriation bill. And I venture to express the hope that our conferees will agree without delay.

Of course its presentation here at that time without, as I understand, the recommendation of any committee, without many Senators having seen it at all, either in the shape of bill or amendment, was somewhat unusual. I was not here at the time, and I had never seen the bill. I assume that had I been here I should have done as every other Senator did, perhaps, feel that the subject was so important that, although I might not agree with the bill as a whole, rather than take any chances upon defeating the subject-matter, I would let it go to the House, expecting, of course, that there might be some further and more deliberate consideration.

It seems, however, that there are still differences, real or imaginary, and there are suggestions from Senators that the conferees ought to have the sense of the Senate. I do not know whether the chairman proposes to now bring it to a vote or not. But I want to say that I agree with all of my fellow-Senators that the legislation, having been included in the agricultural appropriation bill, should now be completed in some form. I do not care how much the packers are lambasted. I have nothing whatever to say or propose in their interest, and I would not care what fees you collected from them if you collected them and they did not recoup themselves upon the stock grower, as well as perhaps the consumer.

Now, the novel proposition made here, that this inspection is an advertising scheme for the benefit of the live-stock growers, is not only novel, but it is monstrous. It means that you can take some private business enterprise or industry and say that notwithstanding not one soul engaged in that industry has

asked you to do it, you will provide here by Congress that he shall advertise whether he likes or not, and not only that he shall advertise, but you will put in his mouth the words and print the kind of advertisement that you demand and have it promulgated to the world, all at his expense and against his protest.

Senators talk about paternalism and socialism. I do not think I have ever heard a proposition inside of the walls of this Capitol that was, to my mind, so monstrous as this, that you shall invade a private business and provide, first, that a private citizen must advertise; second, what and how he shall advertise, and third, charge him what you please, notwithstanding his protests against that kind of advertising.

Now, suppose to every man engaged in farming or in stock raising we should say, "We want you to advertise, and the way you shall advertise is thus-and-so, and we shall charge you so much for it." He would at once ask: "Is that the freedom of American institutions? Is that the liberty American citizens are supposed to enjoy?"

It is very peculiar in my mind; it seems to me to be strikingly so, that if, as the Senator from Indiana [Mr. BEVERIDGE] says, it will make millions of dollars for the packers and millions of dollars for the stock grower, that in all the years in which those packers have been in business and grown wealthy from poor men, as all of them have, that no one of them should have discovered the secret and availed himself of its benefit. It is passing strange that not a single farmer or stock grower has ever discovered this kind of advertising scheme which leads to the Utopian condition which is marked out by the Senator from Indiana, that he will make all the stock growers rich despite their wishes by his mode of advertising.

Mr. BEVERIDGE. I did not hear the Senator. The Senator referred to me.

Mr. WARREN. I simply alluded to the proposition made by the Senator from Vermont and you that you propose to advertise for the live-stock men and the packers against their will, at their expense, and then you suggest how and in what language they shall advertise.

Mr. BEVERIDGE. No, Mr. President, it is the converse. I do not propose to inspect and advertise for the packers at the people's expense.

Mr. WARREN. Well, Mr. President, we have an agricultural appropriation bill here to which this is attached. You provide there for various inspections all through the United States and through all the different industries, and this is the only one in which you ask that the men engaged in the business shall pay the tax.

Mr. BEVERIDGE. What about national banks?

Mr. WARREN. National banks are not yet connected with the agricultural appropriation bill.

Mr. BEVERIDGE. Oh, that is the Senator's explanation?

Mr. WARREN. Mr. President, we have a right surely, when we assume to legislate for the farmers and the stock growers, to take advice from them as far as we can.

Now, we have this condition, that every live-stock man and every farmer, so far as I know, indorses the proposition made here—that there shall be a rigid inspection in Chicago and elsewhere of meats and meat products. In that he is perfectly with you. He has no interest with the packers, but he asks and they ask unanimously, not sporadically, one here and one there—I have yet to hear from a single stockowner or a single farmer in the United States who is practically interested in the business, and who disposes of his products through the packing houses, and who has been acquainted with this system and business as conducted there—that this inspection expense shall be paid by the Government to the end that the people at large and all the people shall pay for this inspection rather than have the man who is raising the live stock pay for it alone.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the Secretary will state.

The SECRETARY. A bill (S. 6191) to provide for the construction of a sea-level canal connecting the waters of the Atlantic and Pacific oceans, and the method of construction.

Mr. MORGAN rose.

Mr. PROCTOR. Mr. President, this matter, I suppose, being privileged business it can be taken up after the Senator from Alabama [Mr. MORGAN] has spoken. I would ask, therefore, that it be temporarily laid aside to give him an opportunity to make his remarks.

Mr. MORGAN. The Senator from California [Mr. PERKINS] desires to speak to this question to-day.

The VICE-PRESIDENT. Without objection, the conference

report will be laid aside. The Chair will ask the Senator from Alabama to suspend for a few moments.

Mr. MORGAN. Certainly.

ADDITIONAL ASSOCIATE JUSTICE OF ARIZONA.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2948) to amend section 1 of the act approved March 3, 1905, providing for an additional associate justice of the supreme court of Arizona, and for other purposes, which was, on page 1, line 11, to strike out all after the word "court," down to and including line 2, page 2, and insert:

Except that in any case where two or more of the five justices shall be disqualified from sitting, the justices qualified shall constitute a quorum, and a majority thereof may affirm or reverse such case, but should a case be tried before only two justices their disagreement would be an affirmation of the case.

Mr. CLARK of Wyoming. I move that the Senate concur in the House amendment.

The motion was agreed to.

EFFICIENCY OF THE REVENUE-CUTTER SERVICE.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3044) to promote the efficiency of the Revenue-Cutter Service, which was, to strike out all of section 4 and insert:

Sec. 4. The Secretary of the Treasury is hereby authorized to employ two civilian instructors in the Revenue-Cutter Service, one at a salary of \$2,000 per annum and one at a salary of \$1,800 per annum.

Mr. NELSON. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

DISPOSAL OF ISOLATED TRACTS OF PUBLIC LAND.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4190) to amend an act entitled "An act to amend section 2455 of the Revised Statutes of the United States," approved February 26, 1895, which were as follows:

Page 1, line 9, after "sell," insert "at public auction at the land office of the district in which the land is situated."

Page 1, line 11, after "domain," strike out "less than" and insert "not exceeding."

Page 2, line 2, strike out all after "That" down to and including "notice," line 4, and insert "this act shall not defeat any vested right which has already attached under any pending entry or location."

Mr. NELSON. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

EFFICIENCY OF THE ORDNANCE DEPARTMENT.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1540) to increase the efficiency of the Ordnance Department of the United States Army, which was, to strike out all after the enacting clause and insert:

That the Ordnance Department shall consist of one chief of ordnance with the rank of brigadier-general; six colonels, nine lieutenant-colonels, nineteen majors, twenty-five captains, twenty-five first lieutenants, and the enlisted men, including ordnance-sergeants, as now authorized by law.

Sec. 2. That details to the Ordnance Department under the provisions of the act of February 2, 1901, may be made from the Army at large from the grade in which the vacancy exists, or from the grade below: *Provided*, That no officer shall be so detailed except upon the recommendation of a board of ordnance officers, and after at least one examination, which shall be open to competition: *And provided further*, That officers so detailed in grades below that of major shall not be again eligible for such detail until after they shall have served for at least one year out of that department.

Mr. WARREN. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

IMMUNITY OF WITNESSES.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5769) defining the right of immunity of witnesses under the act entitled "An act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February 11, 1893, and an act entitled "An act to establish the Department of Commerce and Labor," approved February 14, 1903, and an act entitled "An act to further regulate commerce with foreign nations and among the States," approved February 19, 1903, and an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," approved February 25, 1903.

Mr. CLARK of Wyoming. I move that the Senate disagree to the amendment proposed by the House, that the Senate ask a conference with the House on the disagreeing votes of the two Houses, and that the conferees be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. CLARK of Wyoming, Mr. NELSON, and Mr. CULBERSON as the conferees on the part of the Senate.

CODE PREPARED BY THE STATUTORY REVISION COMMISSION.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which, on motion of Mr. FULTON, was referred to the Committee on the Revision of the Laws of the United States:

Resolved by the House of Representatives (the Senate concurring), That a joint special committee be appointed, consisting of four Senators to be appointed by the Vice-President and five Members of the House of Representatives to be appointed by the Speaker, to examine, consider, and submit to Congress recommendations upon the revision and codification of laws prepared by the Statutory Revision Commission heretofore authorized to revise and codify the laws of the United States; and that the said joint committee be authorized to sit during the recess of Congress and to employ necessary clerical and other assistance; to order such printing and binding done as may be required in the transaction of its business, and to incur such expense as may be deemed necessary, all such expense to be paid in equal proportions from the contingent funds of the Senate and House of Representatives.

STATUE OF GOVERNOR STEVENS T. MASON.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 47) granting condemned cannon for a statue of Governor Stevens T. Mason, of Michigan, which was, after line 6, to insert the following proviso:

Provided, That the Government shall be at no expense in connection with this gift.

Mr. BURROWS. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

FORT CLINCH RESERVATION, FLA.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1697) confirming to certain claimants thereto certain portions of lands known as Fort Clinch Reservation, in the State of Florida, which were, on page 2, line 4, after "United States," to insert "at the date of the patent to Yulee and of the swamp-land selection by Florida hereinafter referred to;" on page 2, line 9, after "Plaza," to insert "bounded by Estrada, White, Marine, and Somuereles streets;" on page 2, line 9, after "and," to insert "except also;" on page 2, lines 10 and 11, to strike out "confirmed, granted;" on page 3 to strike out lines 2, 3, and 4 and insert "town of Fernandina shall hold the lands hereby confirmed and relinquished to it only on condition that the said town shall keep open and maintain the said military road from said town to Fort Clinch without expense to the United States."

Mr. TALIAFERRO. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 10858. An act to establish a Naval Militia and define its relations to the General Government; which was read twice by its title, and referred to the Committee on Naval Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys;

H. R. 15506. An act authorizing the patenting of certain lands to School No. 57, Nez Perces County, Idaho; and

H. R. 19916. An act withdrawing from entry certain public lands in Chouteau County, Mont., and leasing the same to the board of trustees of the Montana College of Agriculture and Mechanic Arts.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

H. R. 14811. An act to authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the national cemetery road at Vicksburg, Miss.;

H. R. 16013. An act providing medals for certain persons;

H. R. 19181. An act to grant a certain parcel of land, part of Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes;

H. R. 19814. An act authorizing the issue of obsolete ordnance and ordnance stores for use of State and Territorial educational institutions and to State Soldiers and Sailors' Orphans' homes;

H. J. Res. 31. Joint resolution recognizing the change of name of the Regular Army and Navy Union of the United States to the Army and Navy Union of the United States of America; and

H. J. Res. 160. Joint resolution authorizing the Secretary of War to furnish a certain gun carriage to the mayor of the city of Ripley, Lauderdale County, Tenn.

H. R. 17186. An act granting to the Territory of Oklahoma, for the use and benefit of the University Preparatory School of the Territory of Oklahoma, section 33, in township No. 26 north, of range No. 1 west, of the Indian meridian, in Kay County, Okla., was read twice by its title, and referred to the Committee on Public Lands;

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 13106. An act granting to the Batesville Power Company the right to erect and construct canal and power stations at Lock and Dam No. 1, upper White River, Arkansas;

H. R. 17600. An act granting authority to change the names of certain sailing vessels;

H. R. 18596. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the White River, Arkansas, and for other purposes;

H. R. 19312. An act to authorize the Mingo-Martin Coal Land Company to construct a bridge across Tug Fork of Big Sandy River at or near the mouth of Wolf Creek;

H. R. 19566. An act to authorize the Coraopolis Bridge Company and Osborne Bridge Company to construct a bridge over the Ohio River;

H. R. 19850. An act to authorize the Monongahela Connecting Railroad Company to construct a bridge across the Monongahela River, in the State of Pennsylvania;

H. R. 20097. An act to authorize the board of supervisors of Coahoma County, Miss., to construct a bridge across Coldwater River;

H. R. 20119. An act to authorize the village of Oslo, Marshall County, Minn., to construct a bridge across the Red River of the North;

H. R. 20210. An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River; and

H. R. 20266. An act to amend an act entitled "An act authorizing the condemnation of lands or easements needed in connection with works of river and harbor improvement at the expense of persons, companies, or corporations," approved May 16, 1906.

H. R. 19756. An act to amend section 2844 of the Revised Statutes of the United States, and to provide for an authentication of invoices of merchandise shipped to the United States from the Philippine Islands, was read twice by its title, and referred to the Committee on the Philippines.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had approved and signed the following acts:

On June 18:

S. 3649. An act granting a pension to Sarah Agnes Sullivan;

S. 4811. An act granting a pension to Mae Spaulding;

S. 5056. An act granting a pension to Alexander Plotts;

S. 5442. An act granting a pension to Frances E. Taylor;

S. 5783. An act granting a pension to Florence H. Godfrey;

S. 3261. An act granting an increase of pension to Charles B. Town;

S. 3270. An act granting an increase of pension to William H. Richardson;

S. 3486. An act granting an increase of pension to Edwin D. Wescott;

S. 3487. An act granting an increase of pension to Joseph Fuller;

S. 3553. An act granting an increase of pension to William Oliver;

S. 3629. An act granting an increase of pension to William Hibbs;

S. 3684. An act granting an increase of pension to George W. Hyde;

S. 3697. An act granting an increase of pension to Sarah A. Petherbridge;

S. 3728. An act granting an increase of pension to William H. Winans;

S. 3750. An act granting an increase of pension to Wilbur F. Flint;

S. 3814. An act granting an increase of pension to John Giffen;

S. 3818. An act granting an increase of pension to David B. Johnson;

S. 3904. An act granting an increase of pension to George J. Thomas;

S. 4092. An act granting an increase of pension to John Smith;

S. 4133. An act granting an increase of pension to George Brewster;

S. 4171. An act granting an increase of pension to Joseph Bovee;
 S. 4173. An act granting an increase of pension to Catharine E. Smith;
 S. 4205. An act granting an increase of pension to George Warner;
 S. 4346. An act granting an increase of pension to William E. Holloway;
 S. 4372. An act granting an increase of pension to Emily P. Hubbard;
 S. 4379. An act granting an increase of pension to Roy E. Knight;
 S. 4458. An act granting an increase of pension to Andrew P. Quist;
 S. 4492. An act granting an increase of pension to George W. Fletcher;
 S. 4497. An act granting an increase of pension to Augustus McDowell;
 S. 4585. An act granting an increase of pension to Mary A. Counts;
 S. 4719. An act granting an increase of pension to John Joines;
 S. 4770. An act granting an increase of pension to Edward Hart;
 S. 4784. An act granting an increase of pension to Lemuel Cross;
 S. 4790. An act granting an increase of pension to Edward W. Smith;
 S. 4879. An act granting an increase of pension to Mary E. Baker;
 S. 4887. An act granting an increase of pension to Calvin C. Hussey;
 S. 4910. An act granting an increase of pension to William Wright;
 S. 4937. An act granting an increase of pension to John Reece;
 S. 5022. An act granting an increase of pension to Henry S. Olney;
 S. 5032. An act granting an increase of pension to Daisy C. Stuyvesant;
 S. 5065. An act granting an increase of pension to Charles Jackson;
 S. 5085. An act granting an increase of pension to Ellen Donovan;
 S. 5143. An act granting an increase of pension to Eugene V. McKnight;
 S. 5152. An act granting an increase of pension to Holaway W. Kinney;
 S. 5158. An act granting an increase of pension to Andrew J. Fosdick;
 S. 5169. An act granting an increase of pension to James A. Price;
 S. 5256. An act granting an increase of pension to John Johnson;
 S. 5290. An act granting an increase of pension to James Ramsey;
 S. 5326. An act granting an increase of pension to Annie A. West;
 S. 5340. An act granting an increase of pension to Laura Hentig;
 S. 5501. An act granting an increase of pension to Jacob L. Kline;
 S. 5557. An act granting an increase of pension to Henry Clay Sloan;
 S. 5559. An act granting an increase of pension to Ann H. Crofton;
 S. 5583. An act granting an increase of pension to Foster L. Banister;
 S. 5700. An act granting an increase of pension to Stacy B. Warford;
 S. 5708. An act granting an increase of pension to Nathalia Boepple;
 S. 5728. An act granting an increase of pension to Emery Wyman;
 S. 5731. An act granting an increase of pension to James Mc-Twiggan;
 S. 5742. An act granting an increase of pension to James A. Bryant;
 S. 5758. An act granting an increase of pension to Joshua J. Clark;
 S. 5765. An act granting an increase of pension to Theodore F. Montgomery;
 S. 5767. An act granting an increase of pension to Thomas D. Welch;
 S. 5772. An act granting an increase of pension to Thomas M. Harris;

S. 5775. An act granting an increase of pension to Harvey M. Traver;
 S. 5784. An act granting an increase of pension to Mahala F. Campbell;
 S. 5785. An act granting an increase of pension to Joseph W. Doughty;
 S. 5786. An act granting an increase of pension to Mary J. Ivey;
 S. 5790. An act granting an increase of pension to Jehial P. Hammond;
 S. 5791. An act granting an increase of pension to Margaret Simpson;
 S. 5801. An act granting an increase of pension to Andrew Jackson Paris;
 S. 5803. An act granting an increase of pension to William H. Meadows;
 S. 5808. An act granting an increase of pension to Washington Brockman;
 S. 5809. An act granting an increase of pension to Hannah C. Church;
 S. 5834. An act granting an increase of pension to Charles F. Sheldon;
 S. 5844. An act granting an increase of pension to John Keys;
 S. 5855. An act granting an increase of pension to Blanch Badger;
 S. 5902. An act granting an increase of pension to George W. Webster;
 S. 5928. An act granting an increase of pension to Patrick Gaffney;
 S. 5932. An act granting an increase of pension to Elijah R. Merriman;
 S. 5948. An act granting an increase of pension to Samuel B. Rice;
 S. 5949. An act granting an increase of pension to George F. White;
 S. 5966. An act granting an increase of pension to Christopher C. Davis;
 S. 5969. An act granting an increase of pension to Franklin Burdick;
 S. 6024. An act granting an increase of pension to Franklin B. Beach;
 S. 6034. An act granting an increase of pension to William A. Hopper, alias Cuff Watson;
 S. 6039. An act granting an increase of pension to George Gardener;
 S. 6063. An act granting an increase of pension to Frances A. Sullivan; and
 S. 6240. An act granting an increase of pension to John G. Fonda.

PANAMA CANAL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6191) to provide for the construction of a sea-level canal connecting the waters of the Atlantic and Pacific oceans, and the method of construction.

Mr. MORGAN. Mr. President, I take the floor this morning with great reluctance for the discussion of this question. The bill before the Senate confines the inquiry that we are now engaged in trying to determine to the single question of a sea-level canal at the Isthmus of Panama. It has surprised me, as I have no doubt it has surprised the Senate and the country, when a lock-canal system has been brought forward so prominently and so urgently in the messages of the President connected with this matter and sent before the Committee on Interoceanic Canals, that no bill has been presented here upon which the Senate could act, and none has been presented in the Committee on Interoceanic Canals upon which any action may be taken for the purpose of giving legal, constitutional support to the demands—I call them demands—the requirements, certainly, of the President of the United States. I am not here for the purpose of criticising him for that course of conduct. It is the first time that I have ever yet heard or known of a debate in this body where the negative or a dissenting report takes actually the affirmative side of the question and urges and presents in the negative report a canal which is not formulated in the shape of a bill.

If a bill was here for the purpose of establishing a lock-level canal with a dam and locks at Gatun, there would be opportunity to amend it if it was not agreeable to the views of the Senate, or to modify it in many ways. But the attitude of the minority of the Committee on Interoceanic Canals is that they "stand pat" on the declaration made in the message of the President of the United States, and contend that unless a majority of that committee and of the Senate of the United States, in cooperation with the House of Representatives, can reverse the action upon that subject, the President insists that

the legislation already exists that justifies him in fixing the type of the canal and all connected with it.

That is not, Mr. President, to say the least of it, a bold and a fair presentation of a question. We are here now to meet it with a report on the part of the majority of the committee, which was ably prepared by the Senator from South Dakota [Mr. KITTREDGE], who introduced the bill, and which fairly and fully sets out the ground upon which the committee felt constrained, many of them against previous convictions of a very settled character, to recommend a sea-level canal.

If the recommendation that the committee gives in favor of the sea-level canal needed to be justified by the array of the vast field of facts of an important character that have been developed in the course of the hearings, which have lasted practically all the winter and all the summer down to the present time and embodying some three or four thousand pages of testimony; if we had to look through that and compare the value of the testimony in favor of each proposition, one witness with another and one fact with another, I would despair of attempting to make any decided impression upon any one who has not studied this whole question thoroughly.

Mr. President, in the multitude of our labors in the Senate I understand perfectly that very few Senators can afford to take the time from their current and necessary business to follow up the facts in a very extensive investigation such as this has been.

I take occasion to say, in respect of the engineers and the persons who have been called upon to testify as to the facts involved in the governmental control and the like of that, before that committee, that a remarkable display has been made of integrity, manhood, firmness, and truthfulness. I am very happy to say that the facts as presented on this record, while they may be in apparent conflict with each other, have no element of weakness, so far as I know, in respect of the character of the men who have stated them.

Is it possible, Mr. President, for me to present an issue in this case, or a point in this case, which is and ought to be the controlling fact in the whole situation? In all questions based on a great number of facts more or less in conflict with each other there is still a pivotal point upon which the question turns. That is true in every controversy of this kind. There is a pivotal point upon which controversy turns, and I wish this morning to devote what I have to say to the development of that pivotal fact and to attempt to show that when it is settled the whole question is settled in respect of the type of canal.

The type of this canal, Mr. President, is as important to the people of the United States as are the boundaries of any State of the Union. It is almost as important as any physical fact that depends upon the climatology of this great Republic. The type of this canal is, above all things else connected with public works, the most important, the most far-reaching in its effects upon the present and all coming generations. So if we can determine the type of the canal by determining some great fact which is pivotal in the case, and having gained that ground, we can go forward with confidence and without embarrassment in the adjustment of all collateral questions that might grow up in what I will term the administration of the canal, according to the system that may be adopted, our success will bless the country for all time to come.

I set out with the proposition that, in any type of canal at Panama, the control of the Chagres River is the great vital factor of safety, without which no canal can be permanently maintained.

I will leave out of consideration the minor questions of the cost of dredging, the time consumed in the passage of ships, the cost of lands that will be submerged, the dangers of collisions between vessels passing each other in the canal channel, the military defense of the canal, or the locks, the silting up of the canal, of either type, from inflowing streams, and other economic questions.

I omit these discussions because they are questions that are common to both types of canal, whether constructed at high or low level. I do not feel justified in treating either type of the canal presented in the reports of the majority or the minority of the Board of Consulting Engineers as a sea-level canal, because both reports recommend a canal with dams and spillways for controlling the waters of the Chagres River. I can not treat either plan as a lock canal, because they both have sea-level sections that extend into the land for several miles, from the Bay of Limon on the north, and the Bay of Panama on the south.

What Congress is left to consider, if anything is left to their consideration, is whether the surface of the section of the canal between Gatun and Miraflores, a distance of about 8 miles,

which is not to be less than 40 feet deep, and not less than 200 feet in width at the bottom, shall be at the mean level of the sea, or whether the canal, at its surface, shall be 185 feet above the level of the sea between the points I have mentioned.

It goes without saying that the section of the canal between Gatun and Miraflores can be excavated to a depth of 40 feet below sea level; and so between Gamboa and Miraflores, and so on any part of the line.

If there were no other engineering problem involved, the question of the time and the cost of construction would be simply economic, and could be solved by mathematical processes almost to a certainty.

But the question of the control of the Chagres River recurs, as it has recurred, to tax the highest powers of engineering skill and knowledge, since it was presented in the report of the Lull survey in 1872, of which Menocal was the chief engineer. That was the first instrumental canal survey that was made at Panama. It was made by the order of the Government of the United States. In that survey it was developed that the control of the Chagres River was the real obstacle to the construction of a canal at Panama. The axial line of Lull's survey from Gatun to Miraflores has not been changed as much as a hundred feet from that time to this hour. The struggle to control the Chagres River has cost thousands of lives. It has cost the people of France more than \$260,000,000. It has cost Colombia 100,000 lives and a debt of \$6,000,000 expended in civil war. It has cost that Republic the secession of Panama, if that is the proper term to use; and it has cost the United States already, in surveys, explorations, and outlays for work and material, more than \$100,000,000. The sums that are demanded of our people for accomplishing the control of the Chagres River vary from three hundred to five hundred million dollars, to be determined, it is said, by the type of canal to be constructed.

I put these figures very broadly. I do not put them with the accuracy of quotations from reports, and it is not necessary to do so. I want to get the highest and lowest limits, between which we are obliged to consider our bearings.

The advocates of both types set forth in the majority and minority reports of the Board of Consulting Engineers are centering their controversy upon the still vital question of the control of the Chagres River.

In this silent but tremendous mental conflict of opinion between engineers to whom the United States and several European sovereigns have given the honor of their selection as their best representatives in skill, experience, and ability, in this highest reach of scientific and practical work, the vital question is the control of the Chagres River.

Does this question approach its solution upon the agreements as to undisputed facts that are stated in the reports of the minority and the majority of the Board of Consulting Engineers?

I maintain that these agreements upon undisputed facts as to the control of the Chagres River not only approach a solution of that crucial question, but they settle it. No engineer of that great Board seems to question seriously that a dam based on a rock foundation at Gatun, of proper dimensions and material, constructed after the method of the highest art of the science of engineering, in connection with a sea-level canal cut through the Isthmus and controlled by a sea gate and lock at Miraflores, will safely and certainly control the Chagres River.

There is really no disputation amongst any of these great engineers anywhere or at any time that a dam properly constructed at Gamboa, with a tide lock at Miraflores or at Sosa, nearer the coast, using the canal as a part of the system of drainage, will be absolutely perfect to control the flow of the flood waters of the Chagres River and, of course, its normal flow.

Great engineers do earnestly contend, however, that the Chagres River can be as safely controlled by a dam with locks at Gatun. This proposition is not accepted by the majority of the Board of Consulting Engineers. On the contrary, it is severely contested by that majority and by other great engineers and by a majority of the Senate Committee on Inter-oceanic Canals.

The Senate can therefore see exactly where the controversy is. They all admit that a dam properly constructed at Gamboa, with a sea-level canal, and a tide lock on the Pacific side at Miraflores, will control the Chagres River. When we come to the other side of the proposition, whether a dam can be constructed at Gatun which will control the Chagres River, there the dispute commences, and it is fierce and unrelenting and sometimes almost bitter in the antagonism of their candid, honest, professional opinions and experience. Where is the use

of the Government of the United States and the Congress of the United States participating in the decision of a disputed question thus heavily controverted by the great engineers of the world, when they all agree that the main proposition, which is to control the flood waters of the Chagres River, can be completely and perfectly effected by a dam at Gamboa and the drainage channel of a sea-level canal across the Isthmus and with a tide lock at Miraflores?

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER (Mr. WHITE in the chair). Does the Senator from Alabama yield to the Senator from Ohio? Mr. MORGAN. I do.

Mr. FORAKER. I should like to ask if I properly understand the statement of the Senator to be that every one of the consulting engineers was of the opinion the Senator has just expressed, that by means of a dam at Gamboa the Chagres River could be controlled, and that there was a division and difference of opinion among those same engineers as to the dam at Gatun?

Mr. MORGAN. The provision for a dam and locks at Gatun was severely contested by the conflicting opinions of the European engineers and some of the American engineers. They have expended much time and labor in looking into the question as to the stability of such a dam. As to the stability of a dam properly constructed at Gamboa, and that it, in connection with a sea-level channel across the Isthmus, will control the flood waters and the normal waters of the Chagres River, there is no contest. No man has raised his voice to deny that. The proposition is true that a dam built there will control the entire situation.

Mr. President, I might stop my argument on this question right here, and I do not know but that I had better do so, because the evidence in this case shows the consensus of opinion without interruption in favor of the proposition that there is a way to control the floods of the Chagres River. That way is to build a dam at Gamboa upon solid rock—tough, hard basalt, I believe it is—and to dig the sea-level canal past that location, and with proper regulating works to control the waters impounded behind the dam at Gamboa; and in the highest floods, or the greatest possible coming of successive floods, that water will enter the canal so that it will be harmless; it can run either way to the sea; and there is no probability that the canal thus draining the waters of this great lake at Gamboa, created by this dam, will ever be in such a state of flood or agitation as to disturb the navigation of that canal.

This question is therefore narrowed down to this proposition: Is the certainty and safety, which none deny, of controlling the Chagres River through a sea-level canal, with a dam at Gamboa and a sea gate and tidal lock at Miraflores, to be abandoned for any known cause in favor of the disputed and more uncertain plan of accomplishing such control of the Chagres River by means of an earth dam at Gatun with a head of 85 feet of water, and with three double locks in a flight, each with a lift of more than 28 feet?

Senators who cast their eyes up to that reporters' gallery and notice the steps that come down, three of them, one below the other, will have a fair idea of three locks in flight. If you make the elevation 85 feet above sea level and divide that by 3, 28½ feet about, you will have an idea of what it would look like, and you will have perhaps a better idea of what it will actually be than by any words that I could use to express it.

Mr. TALIAFERRO. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Florida?

Mr. MORGAN. Yes.

Mr. TALIAFERRO. Does the Senator know of any great canal in the world that employs locks of that character in flight?

Mr. MORGAN. No; I do not know anything about that personally, but the testimony of the engineers shows that there is no such ship canal in the world, at least, with three double, or twin, locks in a flight. This seems to be a new and perilous experiment.

If there were no Chagres River to control or to feed the canal, a sea-level canal at Panama would be the only alternative. But there is a Chagres River that must be controlled, and that remains the vital question as to any type of canal Congress may adopt. I have repeated this proposition several times, but not oftener than is required by the inevitable logic of the situation.

I have been forced to yield my preference for a lock canal, and to adopt the type of a sea-level canal as the only plan I can afford to vote for, upon the known and undisputed facts that I have no right to disregard.

As far as the opinions of laymen should be influenced by those great engineers, who are honest men, I would cheerfully yield my judgment on questions of technical learning and experience,

but when such guides disagree, and I must decide between them on a great matter like this, I am bound to accept their concurrent admissions and concessions of facts as being true, and to follow the line that is least embarrassed with doubts and difficulties, and that, in this case, must necessarily be the type of canal that is the most certain of success in controlling the Chagres River.

The engineer whose statements are relied upon with the greatest confidence by the advocates of the high-level canal with dam and locks at Gatun is Mr. Stevens, of whom it is sufficient praise to say that he is a man above reproach in all respects, and is an engineer of experience in important public works, and is of great skill and energy in his profession. I quote Mr. Stevens with satisfaction as to his estimate of the controlling factor in the successful construction of a ship canal at Panama. He was the first engineer examined by the committee, and I will add that part of his examination antedated the publication of the report of the majority and minority of the Board of Consulting Engineers, and his treatment of the real difficulty we must encounter and solve in this enterprise is so conclusive that the question was put to rest, and no other engineer was called upon to discuss it.

On page 63 of the report of the testimony of the engineer witnesses Mr. Stevens says:

I regard the solution of the engineering difficulties in building the Panama Canal to be the control of the Chagres River.

Senator HOPKINS. Yes.

Mr. STEVENS. There are grave questions to be met, of course.

Senator HOPKINS. But that is the question?

Mr. STEVENS. To my mind, yes.

Senator HOPKINS. And the most feasible way of doing that is by the lock canal, with an 85-foot elevation?

Mr. STEVENS. That is my candid belief.

The first time I went over the canal, you might say—the second time I ever went across the Isthmus—of course I had in mind the proposition that had been advanced, largely by the old Commission of 1901 and 1902.

That is, the first Walker Commission—

I could see the force of the argument very readily about taking care of the Chagres River. I had understood from various writings that Bohio was the lowest point in the valley where the dam could be built. The first thing that occurred to me was: Is it a fact or is it an assumption? And going down through there I noted the narrowness down here at Gatun. I immediately asked some of my assistants why they selected Bohio instead of Gamboa.

"Gamboa" there should be "Gatun," I am sure.

They said the dam at Bohio was better than at Gatun. I found that there were no borings there, and that they did not know anything about it. I commenced to get ready to find out. About that time there came a request of the Consulting Board, which convened here the 1st of September. They called down instructions to go on with borings at Gatun—just what I was preparing to do—with the result that we have explained, that in the opinion of everyone, I think, Gatun proved to be the better site.

Again, on page 100, in speaking of the dam at Gatun, in reply to a question of Mr. Gorman, Mr. Stevens says:

Mr. GORMAN. That would leave your summit level at 85 feet?

Mr. STEVENS. Yes, sir; the reason I favor that is because of the point brought out yesterday—the control of the floods of the Chagres.

Now, Mr. President, I think that in reason I have developed the real question in controversy, which is whether a sea-level canal is safer as the method of controlling the floods of the Chagres River than any high-level canal that has yet received the sanction of engineers and other responsible persons charged with the duty of deciding between them.

A great dam for impounding the waters of the Chagres River is equally requisite to either type of a ship canal, and this dam is the prime factor in the work of controlling the flood waters of that river.

The location of that dam on safe foundations is therefore the most important actual work in controlling the floods of the Chagres, and it requires the most careful examination.

All other questions in an important degree, if not in a paramount sense, hinge upon the location of the great dam that alone can control the flood waters of the Chagres River.

After all and above all this is a question of drainage, which includes necessarily the best and safest method of draining off these flood waters when they occur in the watershed of the Chagres River. And this is the pivotal fact to which I have adverted.

I do not include the financial strength of the United States. I assume that it is sufficient to regulate and control the flood tides of the Chagres River in their most frantic development.

I will attempt to demonstrate this in the course of my remarks, and to show that when we have "put a hook in the nose of Behemoth" the spoil of the conquest will be very rich.

The certainty of our being able to impound the waters of the Chagres in flood and in its normal flow by constructing a dam at Gamboa is really an undisputed fact, and, being such, it is the controlling fact in this great engineering problem. I think

that if I should be required to demonstrate this controlling fact, which is conceded by all engineers, the demand would arise from the querulous challenge of the plain truth or from carping criticism.

As the dam at Gamboa must regulate the drainage of the Chagres River, a sea-level canal must be a great factor in supplying a drainage channel for the flood waters of the river that gather from its watershed to the eastward of Gamboa.

These waters would enter the canal at points nearer to the Bay of Panama than to the Bay of Limon, but not far from a central point between both bays. These waters, distributed over a canal surface of 200 feet in width and 49 miles long, do not appear to be a formidable intrusion that would affect navigation or destroy the banks of the canal, even if the regulation of the flow should be imperfect.

In the judgment of all the engineers, the regulation is so easily in reach of ordinary engineering skill that no inquiry is needed to demonstrate its safety and its controllability. There is no real difficulty in this very important work, and I will not consume time in its further description. As to the drainage of flood waters or the waters at normal flow that will or may enter the canal on either side between the mouth of the Obispo and the Bay of Limon, nothing more important than a temporary inconvenience can possibly occur, because of the ease and simplicity of the methods that any ordinary engineer would adopt to prevent any really injurious results.

There is some discussion, but no real controversy, among the engineers as to the safe control of these small and short streams at any stage of their waters.

I had better explain that those small streams that I speak of are below the dam at Gamboa, and come in on either side of the Chagres River. Except when they are in a raging flood, they are absolutely inconsiderable. There is one exception, however, and that I will refer to after a while. It is the stream called the Trinidad River.

The power to regulate and control them easily and safely is so manifest that this part of the discussion is used by the disputants, it seems, only as a makeweight to reinforce more important arguments against each others' contentions. In this great controversy, which should be inspired by a desire to arrive at just conclusions with cordial zeal, there is instead the bitterness of invective and criticism, some evidences of which I will point out in my brief review of the hearings before the committee. I can not dwell on the discussion of the streams that enter the Chagres below Gamboa, because they are unimportant in settling the type of the canal.

In this inquiry, as in others of far greater moment, Congress is left to conjecture, where facts should have been ascertained and were in easy reach of positive demonstration, and the Consulting Board of Engineers were left to grope in the dark in their great and responsible task of advising our Government as to the type of canal that it would be best to adopt at Panama.

Mr. Stevens, on pages 17 and 18 of his testimony, states as follows:

Mr. STEVENS. There was one question, if you will allow me—I assume you want all the light there is—

Senator HOPKINS. Yes.

Senator MORGAN. We do.

Mr. STEVENS. I do myself. I am seeking for light, and any opinion I have so far is only made up from impressions and the data that has gotten in my brain so far. You spoke about taking care of the flood waters by means of the regulating works at the Gatun dam. That is the plan of the minority; but I am not clear as to whether or not that is the place, in case a dam of that size is built, where the regulation could be effected, up here on the Trinidad River, which comes in here from the west. Here is the canal.

Senator GORMAN. How far is that from the dam—about what distance?

Mr. STEVENS. The Trinidad River comes in about 4 miles above the dam. Now, going up that stream, which has very little rise—I have been up there several times with a small launch—going up there about 5 or 6 miles farther there is a depression in the hills between there and the Caribbean Sea. I sent some men up there to take the elevation and make an examination of the country, and it was made very lately, but I know this: *That the top of that pass is only 27 feet above the top of the dam here.* That is through natural ground; and I think, although I have not drilled it, that it is rock. Now, my own opinion is that before I will permit myself to put in these spill works here I should examine that very closely, and if it is as I expect to find it I would plan to put my regulating works at the head of that stream. That would be a similar proposition to the old Gigante spillway of the old Commission.

That is in regard to the dam at Bohio.

Senator MORGAN. Yes—the same thing. Now, if you were building a dam at Gatun, could you dam the Chagres at Trinidad—is that the name of the river?

Mr. STEVENS. You would not need any dams on the Trinidad at all. This water would back, you know, to within 27 feet of the top of this pass. You would merely make your cut right through there, and put your regulating works there, and keep them away from the dam.

Senator MORGAN. I am speaking about a diversion of the Chagres for the purpose of building a dam at Gatun.

Mr. STEVENS. Yes, sir.

Senator MORGAN. Could that diversion be made through Trinidad?

Mr. STEVENS. Yes, sir.

Senator MORGAN. And that is 4 miles above the dam at Gatun?

Mr. STEVENS. By the river line it would be probably 8 miles. It is some distance up to Trinidad.

Senator MORGAN. Yes, sir. In any event such a diversion at Trinidad would be a relief to the work of the Gatun dam, even if it did not entirely complete the diversion?

Mr. STEVENS. It would be simply a transference of the regulating works needed for controlling the level of the big lake. Instead of putting it through the dam, you put it through the natural ground.

Senator MORGAN. I never heard of that before, but it looks very nice.

I have been studying this question for years, and Mr. Stevens is the first man to suggest that with the depression at the head of the river, 27 feet high, by putting a dam across the Trinidad River at a proper place below that, between that and the Chagres River, you would turn the Trinidad upon its course and run it through its watershed to the sea, and you would get rid of the waters of the Trinidad, and then, by connecting the Trinidad River with the other three small streams between that and the Obispo, you would run the whole of it right down the valley of the Chagres River and turn the Chagres River away from the sea-level canal on that side.

I refer to this, and I do it with a painful feeling, too, to show that our Government has not made the proper ascertainment of facts to enable this great Commission of Consulting Engineers to decide these questions which I am now discussing and to pass proper judgment upon them. They show that there is not enough in this evidence to-day to justify the Senate of the United States in coming to any decision upon the facts like a jury would as to what are the actual conditions there in that great coastal plain which we call the "valley of the Chagres River." We are going too fast. We have been going too fast all the time, making too much fuss and doing too little work of a sedate, practical, orderly character. We have been too much under the influence of newspaper dominance and public opinion; we have been too much swerved from time to time by criticisms made as to the appointees and their conduct on the Isthmus and elsewhere. We ought to have been sedately studying these facts. If Stevens had been put at that work six months, if you please, before the meeting of the Board of Consulting Engineers, when he was only put there after they had got here and been some time in session—and it was upon their demand sent by cable that these borings should be made—Stevens and all the rest of us would have had more substantial and reliable foundation for the verdict we are to give, because it is a verdict in the highest possible sense that Congress is called on to render.

Will it not surprise the world that this important information, so easy to obtain, was not laid before the Board of Consulting Engineers? The Trinidad River, with a low depression of 27 feet near its head, leading down to the seacoast, seems to be almost a natural outlet for the flood waters of all the streams that enter the left bank of the Chagres River as far as the Obispo. It is obvious that with low dams across them and connecting channels between them, in the valley of the Chagres, all these small streams, four in number, can be led into the Trinidad. A dam of even 40 feet across that stream would throw all these waters back on the head of the Trinidad, where a cut of 27 feet would put them through the swamp into the sea. If this is true, the protection of a sea-level canal from the inflow of these streams would be perfect.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from South Carolina?

Mr. MORGAN. Certainly.

Mr. TILLMAN. Will the Senator kindly tell us how much of a cut and how long a one it would take to have this river driven back to its source and turned off into the ocean at another point?

Mr. MORGAN. According to Mr. Stevens, it would take a cut 27 feet.

Mr. TILLMAN. I know, but how long?

Mr. MORGAN. Perhaps a quarter of a mile.

Mr. TILLMAN. In other words, it will not take another canal to get rid of that river?

Mr. MORGAN. No.

Mr. TILLMAN. It would be a short outlet, which would relieve us of this water?

Mr. MORGAN. Yes. There is a short ridge running in there.

Mr. HOPKINS. You are now speaking of the Trinidad, are you not?

Mr. MORGAN. Of the Trinidad.

Mr. HOPKINS. Not of the Chagres. The Trinidad is on the Colon side of the Isthmus.

Mr. MORGAN. The topography of such a diversion canal is not known to me, neither is it known to our engineers at Panama. There is the trouble about it. They do not know.

In the effort to create an impression of sudden and rapid progress in canal building, to astonish the world, we find that our want of preparation for the work, and our picturesque display of speed, is exciting derision.

If Congress will forbid a final determination of the type of the canal by the President until the next session and require a further exploration of the Chagres Valley at Gatun, and up to Bohio, with diamond drills, before the final decision is reached, we will be spared the chagrin of additional failures and the wasting of many millions of dollars.

Mr. HOPKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Illinois?

Mr. MORGAN. Certainly.

Mr. HOPKINS. Before the Senator leaves the question of the different rivers, has the Senator in his speech at any point taken into consideration the streams on the right-hand side between Obispo and Gatun?

Mr. MORGAN. I have not in the remarks which I have submitted here, because they are trifling little streams—very short.

Mr. HOPKINS. I think not.

Mr. MORGAN. There is only one—the Gatun; and it has already been diverted by the French and carried out above Colon and emptied into the bay. There is no other stream on the right bank of the Chagres—

Mr. HOPKINS. One of the schemes for disposing of the waters of those rivers is the one suggested by the Senator from South Carolina—to build another canal carrying these waters off into the bay.

Mr. MORGAN. I understand they are so entirely negligible that I doubt if any Senator on this floor can tell the names of them. They are little creeks, as we call them, emptying from the hills that come down sheer almost on the right bank of the Chagres River.

Mr. HOPKINS. If the Senator will allow me, even the majority of the Board of Consulting Engineers regarded those streams of so much importance that, as I remember their report, they propose to divert them from their channels and carry them through a new channel to the sea.

Mr. MORGAN. That is easy enough to do, I suppose.

Mr. HOPKINS. There is where we differ. It is a very serious problem, and we contend it can not be successfully done without great expense.

Mr. MORGAN. There are many questions of minor importance which the Senate is not called upon to decide in determining the type of the canal, for the reason that they have no material effect upon it. We can afford to lay by our controversies about these minor matters until we have first accomplished the settlement of the type of the canal, which is the great controlling question of the destiny not only of the canal itself, but I may say, in a large degree, of the United States of America. We had better lay aside these little catch questions until we have determined the main proposition—the type of the canal.

No decision of the type of canal by Congress is required by the President, unless it should be a ratification of his avowed purpose to locate a lock canal, with its dam and locks, at Gatun. Such a ratification would be accepted by him with condescending approval.

If Congress should prefer to meet its responsibility to the people of this and all succeeding generations by voting for a sea-level canal, such a vote would not engage the respect or the approval of the President.

In view of such official outgivings, it may require some fortitude to consider the subject of a sea-level canal, but, on the other hand, it will surely require the loss of some self-respect to drop the subject where it is.

So far as I am concerned, I prefer, under the rules of the Senate, to discuss the bill before this body and to vote upon it. Congress has frequently been advised to take prompt action in determining the type of canal, and has been admonished by the Government that delay in passing a bill would be an interruption of the work on the canal. Why should such haste be enjoined upon Congress to settle the type of the canal if the President has already established the type and the location and the plan by Executive foreordination?

It is not for me, perhaps, to venture to make such inquiries, but the occasion seems to justify this freedom, and I will proceed to discuss the sea-level canal, which is the canal that the people require and also the President's canal, it being "the ideal canal."

If the President could take the risk of the failure of the dam at Gatun without the contribution of the money of the people to another bankruptcy at Panama, many would be glad to indulge him in such a reckless pleasure; but Panama has

too great fatality for reckless adventure to be the chosen theater of American sport with fortune.

Established on the firm basis that a sea-level canal is the safest solution of the problem of the control of the flood of the Chagres River, no other plan of canal can be logically supported. Another plan less safe may be a proper subject of competitive discussion, if it is cheaper than a sea-level canal and if we are really too poor to build a sea-level canal, in justice to our taxpayers.

If such a supposition involves the question of the expenditure of \$100,000,000 to meet the higher cost of a sea-level canal, that we are not really able to pay, prudence would require us to drop the subject.

If a sea-level canal is worth \$100,000,000 more than a lock canal, and if we are able to own such property, it is the part of wisdom to expend the additional money for the better property. I use these figures only to illustrate an argument.

As to the actual cost of either type of canal, we will be older, if not wiser, before that fact is known.

But it is not probable that the Suez Canal, which is twice the length of the Panama Canal, has cost only one-fourth of the sum that a sea-level canal at Panama will cost us. It is not probable that the cost of the Panama Canal will be even twice as much as the cost of the Suez Canal. So, laying aside all estimates that engineers have made as to the cost of either type of the canal at Panama and taking these reasonable probabilities for our guides, the ascertained facts in respect of the financial condition of the Suez Canal remove all doubt that the Panama Canal, at a cost of \$500,000,000, will be a money-making investment for our Government. To get these facts before the Senate and the country in clear and concrete form, I will read the letter of Gen. George W. Davis, already printed as a document by order of the Senate. I regard this as the most important statement of a fiscal and financial character which has been submitted to the Senate in any form, through its committees or otherwise, since this subject has been undergoing investigation:

[Letter from Mr. George W. Davis, giving certain data relating to the Suez Canal.]

WASHINGTON, D. C., June 14, 1906.

MY DEAR SENATOR: Replying to your favor of yesterday, I give you the following data respecting the Suez Canal:

The original capital of the company, issued before 1870, was 400,000 shares, at 500 francs each; but these securities do not answer to our definition either of stocks or bonds, as they partake of the character of both. Under the terms of issue there was a condition that the shares could be redeemed in certain proportions at stated periods and that when redeemed they should be no longer an interest-bearing security, but should continue to constitute an asset to the original owner of the shares to the extent that he should participate in all surplus benefits earned by the company; but the interest provided by the statute—5 per cent—stopped when the bond should be called for redemption.

On the 31st of December, 1904, there were 385,460 of these shares still outstanding, and they continued to enjoy participation in the surplus benefits or profits of the company. But the interest on the residue of these bonds had ceased; that is to say, on 14,600 shares. The other outstanding securities of the Suez Canal Company are bond issues, as follows: First, an issue of 400,000 shares, at 85 francs, put out in order to take up unpaid coupons on the original issue, this being really to make good a deficit arising in the earlier years of the operation of the company, when its revenues were small. These bonds were entitled to 5 per cent interest, and the value of those still unredeemed and outstanding is 32,919,310 francs. Of the loan of 1867-68, which was in 300-franc shares, there was still outstanding on the date above specified 53,160,600 francs. In 1871 a still further issue of 100-franc shares was made, of which are yet unpaid 1,678,000 francs. A further loan was made in 1880 at 3 per cent, of which 24,575,770 francs remained unpaid at the end of 1904.

In 1887 there was still a further loan negotiated at 3 per cent, the aggregate of which still remaining unredeemed is 97,362,450 francs. The aggregate of all these issues, stock and bonds, came to the total of 402,296,130 francs, or \$80,500,000. This is all of the capital stock of the Suez Canal Company, except that there remains an obligation resting on the company to pay 10 per cent of their surplus profits to the original founders, constituting all those who formed the original company that Mr. De Lesseps exploited. These founders' interests are divided into 100,000, and each now receives about one-half as much annually as the owners of each original share received.

The only reserve of which I can get any trace, maintained by the Suez Canal Company, is one of \$5,000,000, which is required by the statute to be maintained, so as to equalize profits and losses and to provide for emergencies. There is another fund of small amount maintained as a pension and retirement fund, disbursed for the benefit of employees of long standing and of recognized merit. But the aggregate of this fund is not a large one.

The last quotation for Suez Canal stock that I have seen is for May, 1906, when it was quoted at the Bourse as 4,515 francs. As the par value of the share is 500 francs, you can readily see that these securities are at 900 per cent premium.

The dividend paid last year on the original shares was a net of 141 francs per share. This included the 25 francs (5 per cent interest) referred to above as having ceased on certain of the shares of the original stock that had been called in and redeemed. The per cent of dividend was therefore about 28. The tonnage passing the Suez Canal last year was 13,000,000 net tons, and the toll rate was 73 francs per ton.

About a dollar and fifty cents per ton.

Under the terms of the concession, which extended for ninety-nine years from the date of completion of the canal—1869—all the securities

will have been retired and canceled on maturity, and amortization provisions are arranged to that end.

The Government of England paid almost exactly \$4,000,000 for the shares bought by Beaconsfield from the Khedive. The dividend on these shares last year for the benefit of the British Government was \$933,000.

The authorities, for the information contained in the above, are: *L'Economiste*, a French publication with which you are no doubt familiar; the *Statist*, an English publication devoted to statistical matters; also a recently published work on the Suez Canal, by J. Charles Roux, entitled "*L'Isthme et le Canal de Suez*," Paris, 1901, and The Stock Exchange Official Intelligence for 1905.

Hoping the above will meet your necessity, I remain, as ever,

Yours, sincerely,

GEO. W. DAVIS.

Hon. JOHN T. MORGAN,
Capitol, Washington, D. C.

The income of the Panama Canal is not conjectural, if it is to be compared with that of the Suez Canal, as stated by General Davis. It is quite as certain as the next estimate of the income of the United States will be for the fiscal year ending in June, 1908. The contributory territory to both these canals is the same as to the area of the commercial field of traffic, but the coastwise trade between our Atlantic and Pacific States will yield an enormous income to the Panama Canal that is not in reach of the Suez Canal. The productive energies of the entire Pacific coast of America and of Australia and the Philippines, and of the great clusters of other islands in the Pacific Ocean, will be so stimulated by the opening of the Panama Canal that the growth of the Suez Canal in tonnage and tolls will be far exceeded.

Our Sault Ste. Marie Canal has a tonnage which is twice that of the Suez Canal, and they are about the same age. Our Soo Canal floats a tonnage that comes almost exclusively from the watershed of the Great Lakes—a mere dot on the map as compared with the area from which the Suez Canal derives its support—yet its tonnage is twice as great as that of the Suez Canal.

Who can permit a doubt to disturb this splendid outlook for the commercial supremacy of the Panama Canal?

I state it with more confidence than any engineer can state the cost of excavating a cubic yard of rock from the bottom of the Culebra cut. If we have such facts within the reach of rational calculation and will consult them we will see that an expenditure of \$100,000,000 to get the best canal is not a loss or an extravagance, but is a safe investment.

As to the money for doing this work, it is as certain and as easily obtained and as secure as an investment as the money that will be expended in the next fifty years in building great ships to navigate the oceans.

It will be more safely invested in the Panama Canal than if it were put into such steamships, for they are certain to perish, while the canal is quite as certain to survive all perils, unless an earthquake should destroy it.

Mr. SCOTT. Will the Senator allow me to ask him a question?

Mr. MORGAN. Yes, sir.

Mr. SCOTT. Does the Senator from Alabama think, then, that the passage of the so-called "shipping bill" would be a great advantage to the Panama Canal if we had our shipping restored to the seas?

Mr. MORGAN. A proper shipping bill applied to the new conditions created by the Panama Canal would be very valuable if you could keep out the little speculations for private purposes. There is the difficulty with the shipping bills that I have examined.

Now, having this safe basis of calculation as to the value of the Panama Canal, as compared with its cost, and its earning power, as compared with that of the Suez Canal, we see that the differences between engineers as to the cost of construction through Culebra cut does not reasonably affect the question as to whether we should have the cheapest canal and one that is affected with grave doubts as to its permanency or whether we should have the best canal.

I will not consume the time of the Senate in the discussion of our duty, which is to adopt the best canal.

The President says the sea-level canal is "the ideal canal" in his letter to the Board of Consulting Engineers and in his message to Congress. Does he mean that such a canal is a vain imagination, when he says it is ideal? Does he allude to its ideality to frighten us with its hopelessness on account of its cost? He would not think that a navy as powerful as the British navy was a vain and hopeless ideality. He would seize such a flattering illusion with the eagerness that a little boy would grasp a toy pistol. Why should he tell such a people as comprise his constituency, that they must not aspire to the lofty ideal in constructing a canal, but must spend their money for a cheap and doubtful type of canal? It is in vain that we should attempt to solve such riddles. If the sea level is the ideal canal,

the people want it. They want the best their money will pay for, and are not alarmed at high ideals when the facts justify their desire to have the best of everything in the way of public enterprise and commercial success. The Suez Canal is also an ideal canal. Why should Europe and Asia enjoy the benefits of such ideality that swells their coffers as well as their heads, while the Americans who pay for the canal at Panama must content themselves with an enforced inferiority?

The simple truth is that the canal and the railroad at Panama are the best property and surest money-makers in the world. This being true, the cost of the canal need only be compared with its assured income to ascertain whether any expenditure in its construction is within the limit of financial safety. Those who take a timorous view of this matter will never contribute any real strength to this great movement.

I do not disapprove. On the contrary, I applaud the most conservative calculation of the cost in this enterprise, and I have a candid respect for the engineers who look into cost and expenditure with the greatest care; but I insist that their differences as to the cost of the respective plans suggested are swallowed up and lost in the greater fact that the Panama Canal will pay its own cost and expenses and return to us a handsome dividend if we will furnish the money or the credit for putting it in operation.

In the axial lines of both of the proposed canals there is perfect correspondence in every particular, except in the depth of the cuts—through the 8 miles between the stations El Bispo and Miraflores. The width of the canal and the curvatures are the same in this reach through the Culebra and Emperador heights. The depth of the sea-level plan at its bottom, if 40 feet below the level of the sea, and the bottom of the lock canal is 40 feet above that level.

If one canal is defective, the other is equally so. If such defect exists and is not remedied, the fault will rest with Congress in either case; for we have the means to prevent such a flaw if we choose to employ them. I mean that the canal, when completed, will be worth every dollar expended on it and will yield a sure profit on the investment if it is enlarged at heavy expense. The property will bear the increased cost.

No other fact discussed in the wide range of disputation that we are indulging in has any material bearing on the great proposition—that a sea-level canal is the best and safest means for controlling the flood waters of the Chagres River, and that such a canal at the cost of even \$500,000,000 is a perfectly safe investment and will be greatly profitable as a financial venture.

The argument is complete, if these propositions are true; and a sea-level canal is not only the ideal of the President, but it is far better as the solid realization of the proud hope of a great people.

The President abandons his great ideal and again returns to the field of disaster and defeat and invites us—no; he commands us—to follow again as a forlorn hope to certain defeat in the lower marshes of the Chagres Valley. But we have no occasion to follow his lead for the alleged saving of a negligible sum in the construction of a canal that is not free from serious doubts. We are able to build it and sacrifice the cost; but this is not necessary.

I mean that the canal, if completed, will be worth every dollar expended on it and will yield a profit on the investment, and we have the money in the Treasury of the United States to build it, if we choose to vote it. We have the money now to widen it to 300 feet in the Culebra cut. It is 200 feet wide there. We have the money to deepen it below 40 feet, if we want to deepen it; and the money that we expend in providing such a channel for the greatest ships the world has, or can produce, will be refunded to us many fold, because that canal can not be ignored whenever it is made safe for the transit of vessels. The world can not ignore it. The owners of the ships and the commercial men of the world and the insurance men of the world will not be satisfied to permit ships to find their way between the Atlantic and the Pacific oceans south of America, through the frozen Straits of Magellan. With the dangers of that navigation they will not be satisfied to waste the enormous amount of time and the expenses of navigation, which amount to even thousands of dollars a day on every vessel on long voyages around the Horn. They will not be willing to do that. Why should we refuse to construct a safe sea-level canal, when we, with the proper liberality of expenditure, can make an investment of this kind that will pay us very handsomely and provide a safe way for those ships to pass from ocean to ocean in a very few hours?

Now, there is the real financial problem. We have the Suez Canal to prove its safety. Above that here is the Sault Ste. Marie to prove it, although the Suez Canal is more nearly the type of canal we are trying to construct. Some one stated the

question in the committee to an engineer, if the falls of the St. Marys River could be disposed of and a canal was still necessary to get through the shallows, do you think that anybody would ever recommend a lock canal across those falls? No, he did not. Why did they recommend a lock canal across those falls? It is because they were obliged to do it. It was the only way to get through. But whenever a sea-level canal is possible—I speak now in respect of one of the great sea-level canals such as the Suez Canal, the Panama Canal, the Kiel Canal—wherever it is possible to dig a sea-level canal in preference to a lock canal, no sane-minded people who have any respect for the income on their property and for the safety of their ships and their commerce would ever fail to adopt a sea-level plan. It is the natural, first suggestion to the mind of any commonplace thinker in the world. Put it to anybody who has reasonable common sense and every time he will adopt a sea-level canal as one free from impediment and obstruction.

So here, Mr. President, the argument grows and grows, not only upon its own merits as an economic and proper feature of commercial intercourse, but when you come to the control of the Chagres River you find a safe method in a dam at Gamboa, with its sea-level channel to carry it into both seas whenever there might be, by a possibility, in the course of fifty or seventy-five years, an excessively great flood. You will find then and there and in that place the only power that exists in the world for the mastery of the Chagres River.

Mr. MALLORY. Will the Senator from Alabama permit me to ask him a question?

Mr. MORGAN. Certainly.

Mr. MALLORY. With regard to the Gamboa dam, I understand that the problem of a dam there is similar to the problem of a dam for a lock canal at Gatun. However, I should like to inquire of the Senator if he can state whether it has been ascertained that there is a rock foundation for the dam at Gamboa?

Mr. MORGAN. I will say in regard to the Gamboa dam that according to the expression of every man and every engineer who has ever examined the subject the rock at Gamboa is basalt—a tough, hard rock. It reaches across the Chagres River—that is to say, the Chagres River runs across this rock, and there is on both sides a high ridge of rock, so that you can build a dam at Gamboa as deep as you want to make it, and as high as you want to make it, and as strong as any lock dam was ever built on the top of the earth. There is no impeachment of that proposition at all. It bears no resemblance whatever to the dam at Gatun as to its foundation or in any other respect.

Mr. MALLORY. I understand that there is no rock foundation at Gatun.

Mr. MORGAN. There certainly is not.

Mr. MALLORY. Will the Senator please tell me why, in the plan of the majority, unless I am misinformed, the dam proposed at Gamboa is simply to be an earthen dam?

Mr. MORGAN. Oh, no; that is not proposed.

Mr. MALLORY. That was my impression.

Mr. MORGAN. No; they say they may make it of any type; but there are engineers in the world who will persist in saying that an earth dam is better than a rock dam. If the chief engineer prefers an earth dam, he has the best location for it that could possibly be found.

Mr. TALIAFERRO. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Florida?

Mr. MORGAN. Certainly.

Mr. TALIAFERRO. Is it not true that all the dams recommended by the majority are to be masonry dams, or earth dams with masonry cores?

Mr. MORGAN. That is true. That is objected to by the minority. They say that it is not necessary to have a rock core or a rock dam at all—that an earth dam is superior to it.

Mr. HOPKINS. I desire to call the Senator's attention to the fact that the dams that are to take care of the rivers Cano, Gigante, and Gigantito are not to be rock dams. There is no evidence in the report that they are to be rock dams.

Mr. MORGAN. Mr. President, so far as those little diverting dams are concerned, I really never have paid any serious attention to them.

Mr. HOPKINS. If the Senator will allow me, I have given a good deal of attention to them and one of them is to be 2,800 feet long and 75 feet high. There is no data upon which they can predicate any judgment at all as to the foundation upon which that dam 2,800 feet long and 75 feet high is to be placed.

Mr. MORGAN. If that dam was not a yard long or a foot high the effect on the canal would be just the same, because in a sea-level canal, when completed, they intend to take in, if at

all necessary, all the waters that flow in from these different streams.

Mr. HOPKINS. If the Senator will allow me, they propose to build this dam so high that it will divert the waters of the three rivers I have named and change the course and drive them back upon their sources and make them find new channels to the sea.

Mr. MORGAN. Mr. President, I return to the question I was considering. The matter of controlling this little body of water, these low-grade streams, does not compare with the question of controlling the flood of the Chagres River. I am discussing that question, and I maintain that when we control the flood of the Chagres River we have controlled the pivotal feature in this case, and the balance goes with it.

Mr. HOPKINS. If it does not disturb the Senator, I desire to call his attention to the fact that they provide in the sea-level plan these three dams, the longest of which is 2,800 feet. Another dam is to be 820 feet in length and another dam five hundred and something feet, as I remember. All these dams are to have a height of 70 feet above the sea level.

Mr. MORGAN. There are various plans suggested in the report of the majority of the Board of Consulting Engineers as to how different matters may be disposed of conveniently, none of which are vital.

The Senator from South Dakota [Mr. KITTREDGE] has very kindly referred me to a selection of many, many like it in the report, the testimony of Mr. Noble on the proposition here:

Senator KITTREDGE. I understand that you think that has been taken care of sufficiently by the majority.

Mr. NOBLE. It looks so; yes, sir.

Again, Mr. TALIAFERRO puts a question:

As I understand you, then, all of the streams are provided for by that method? All that empty into the canal are expected to pass through pools or dams, so as to take the coarser silt out before the water empties into the canal basin?

Mr. NOBLE. I think so.

Senator KITTREDGE. Do you regard that situation you have just described as a serious objection to the sea-level plan?

Mr. NOBLE. Only inasmuch as it makes a somewhat larger charge for maintenance.

As I have already said, I do not consider that an impossible or impracticable proposition at all.

Mr. HOPKINS. I have not the evidence before me, but the evidence, as I remember it, does not relate to the river Cano nor to the river Gigantito.

Mr. MORGAN. Well, Mr. President—

Mr. HOPKINS. I have not looked at the evidence since we had it before the committee, but I will say to the Senator if it does not disturb him—if it does I will quit—

Mr. MORGAN. The river Cano is so absolutely inconsequential that although I have been studying this question with care for years, I do not know where the river Cano is, and I think I would know it if it was a matter of the slightest consequence.

Mr. HOPKINS. The point I was making, if the Senator will allow me, was in answer to an inquiry by the Senator from Florida [Mr. TALIAFERRO]. In the majority report, in order to make a sea-level canal they provide for three dams, one of the length I have given—2,800 feet—and another of 800 feet, as I now remember, and another of five hundred feet and something, 70 feet high, without giving any data at all relating to the foundation of those dams. That is the real point that I was calling to the attention of the Senator.

Mr. TALIAFERRO. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Florida?

Mr. MORGAN. Certainly.

Mr. TALIAFERRO. I wish, with the permission of the Senator from Alabama, to read just a few lines of the testimony of Mr. Noble:

Senator TALIAFERRO. As I understand you, then, all of the streams are provided for by that method? All that empty into the canal are expected to pass through pools or dams, so as to take the coarser silt out before the water empties into the canal basin?

Mr. NOBLE. I think so.

All the streams.

Mr. MORGAN. I had just read that to the Senate.

Mr. HOPKINS. Will the Senator—

Mr. MORGAN. Mr. President, I do not like to have my attention diverted—

Mr. HOPKINS. I will not interrupt the Senator—

Mr. MORGAN. By Senators asking me questions of this kind.

Mr. HOPKINS. But I will take another occasion to correct the impression of the Senator from Florida upon that point.

Mr. MORGAN. I am not discussing the slight appendages that may adhere to this question and be of some doubt. I am trying to give the Senate the benefit, if it is a benefit, of my

judgment and conclusion in regard to the great pivotal question that controls this subject, and that is the control of the Chagres River. When we get that under control the balance of this matter sinks into insignificance; it is not worth talking about. Any common engineer can provide to protect a canal dug there after we have control of the Chagres River so that that great and furious stream can not invade it and destroy it. That is what my argument is drifting to, and I do not care about taking up all of the minutiae of disputation that concerns this subject generally, because if we should enter into that we would find a dispute about everything we have ever considered. Take the disputes about cement, cement purchase, and transportation, labor, commissary, government, and all that is connected more or less intimately with the question of building and control of the canal. What do they amount to? When we have first settled the great controlling question as to the type of canal and have got it, if that decision was in favor of the Gatun dam, as it was formerly in favor of the Bohio dam, I would put up with it and say nothing about it and leave the idea of a sea-level canal, which I have been compelled to approach with the greatest possible reluctance.

In precipitous haste the President urged Congress to adopt the lock-canal project, with a dam at Bohio and with two twin locks in flights at the elevation of 90 feet above sea level, and Congress followed him, with equal precipitancy, to the disaster that has cost the people more than \$100,000,000. We did this in the Spooner law. We did not intend such a result, and, in fact, the result was reached through the President's misconception of his powers under that law.

I will not now recall the dreary chapter of our history that followed the enactment of the Spooner law and its attempted execution in the effort to construct a lock canal, with its dam at Bohio.

The Isthmian Canal Commission, created by the Spooner law, was appointed and began work to execute the Spooner law with the dam at Bohio.

They had reported to the President on the 16th of December, 1901, that "no location suitable for a dam exists on the Chagres River below Bohio." This report was made after examination by that Commission, composed of Admiral John H. Walker, Hon. Samuel Pasco, Mr. George S. Morrison, Col. Aswald H. Ernest, Lewis M. Haupt, C. E., Alford Noble, C. E., Col. Peter Hains, William H. Burr, and Prof. Emery R. Johnson.

These names are guaranties of high integrity and honor. They made detailed estimates of the cost of the Panama Canal, as follows.

I will not stop to read those estimates, but will insert them in my remarks, and proceed to say that in the passage of the Spooner Act we had that basis and no other basis of Congressional action, and in the passage of that act and adopting the report of the Commission we decided in favor of the lock canal. We also decided that it should be at Bohio, and we also decided that it should not be at Gatun. So stands the law to-day, for this Commission had said that there was no location for a dam below Bohio.

I will insert those estimates, as follows:

Summing up the several figures already given, the total estimated cost of completing the Panama Canal is as follows:

Total estimated cost.

	Miles.	Cost.
Colon entrance and harbor.....	2.39	\$8,057,707
Harbor to Bohio locks, including levees.....	14.42	11,099,839
Bohio locks, including excavation.....	.35	11,557,275
Lake Bohio.....	13.61	2,952,154
Obispo gates.....		235,434
Culebra section.....	7.91	44,414,460
Pedro Miguel locks, including excavation and dam.....	.35	9,081,321
Pedro Miguel level.....	1.33	1,192,286
Miraflores locks, including excavation and spillway.....	.20	5,781,401
Pacific level.....	8.53	12,427,971
Bohio dam.....		6,369,640
Gigante spillway.....		1,209,419
Peña Blanca outlet.....		2,448,076
Chagres diversion.....		1,929,982
Gatun diversion.....		100,000
Panama Railroad diversion.....		1,267,500
Total.....	49.09	120,194,465
Engineering, police, sanitation, and general contingencies, 20 per cent.....		24,038,893
Aggregate.....		144,233,358

The total amount of excavation is 94,863,703 cubic yards, exclusive of excavation for the Bohio dam and the Gigante spillway.

The location of the canal is, in general, the same as that proposed by the French company. Its total length, from 36 feet deep in the Atlantic to 36 feet deep in the Pacific, is 49.09 miles. The distance from the inner end of the harbor enlargement at Colon to the shore

end of the bay channel at La Boca is 42.3 miles, of which 11 miles is the broad channel of Lake Bohio. The alignment is exceptionally good, the sharpest curve having a radius of 6,232 feet, except one at the entrance to Colon Harbor, which has a radius of 3,280 feet, but where the bottom width is from 500 to 800 feet. The total curvature in the entire length of the canal is 771° 39', distributed as follows:

Number of curves.	Length.		Radius.	Total curvature.
	Miles.	Feet.		
1.....	0.88	19,629	14	17
1.....	.48	13,123	11	04
4.....	4.22	11,483	111	32
15.....	11.61	9,842	355	50
4.....	2.44	8,202	90	20
2.....	1.67	6,562	77	00
1.....	.73	6,234	35	45
1.....	.82	3,281	75	51
Total.....	22.85			771 39

The Spooner law appropriated the money to construct the canal specified in these estimates, as follows:

Appropriations therefor shall from time to time be hereafter made, not to exceed in the aggregate the additional sum of \$185,000,000, should the Panama route be adopted.

To which is added in section 5 of that law, \$10,000,000 "appropriated toward the project herein contemplated by either route so selected."

This act as clearly identifies the Panama project as being a lock canal with dam and locks at Bohio as it identifies the Nicaragua project and locates it "from a point on the shore of the Caribbean Sea near Greytown, by way of Nicaragua, to a point near Brito on the Pacific Ocean."

To deny one location is to deny the other, and a sincere reading of the law includes both with equal certainty. To find room for a dam at Gatun under this law and under the report on which it is based is quite as consistent with the act as it would be to find, by construction, that a sea-level canal was within the definition of the canal project in Nicaragua.

If the future destiny of the United States in this vast enterprise rests on canons of construction that are so absurd, Congress would at least save its self-respect by abandoning the entire subject to the discretionary action of the President. This has not been done; and for one I will not so declare by my vote in the Senate.

The Bohio location, adopted and enacted in the Spooner law, went suddenly into collapse when Chief Engineer Wallace tested the work of the Commission of 1899-1901 and found that it was untrue. He used diamond drills and reached the untruth of the report of that Commission as to the depth below sea level of a rock formation for the dam at Bohio and changed it from 128 feet to 168 feet. That was a fatal discovery to Mr. Wallace. It put him to the necessity of finding another location for the dams and locks of a high-level canal that could control the flood waters of the Chagres River. He worked with great energy and skill and failed. He was forced to the alternative of a sea-level canal or else to the abandonment of all hope of any canal at Panama.

He had no desire to work out a plan in which he could find no room for success. He was not playing to the galleries.

He resigned his office of chief engineer because he could not undertake a plan that was impracticable.

Mr. Wallace and the Canal Commission disappeared from the stage of action almost at the same time, and a new Commission came in without the advice and consent of the Senate.

The special powers conferred on the President expired at the close of the Fifty-eighth Congress, but his powers have increased by construction, continually. Among them he has found authority, under the Spooner law, to construct a lock canal, with a dam and locks at Gatun, and informs Congress that this is all the power he needs. In this selection the President has fortified his dangerous choice by the researches and opinions of three engineers of great note, but the facts on which they rest their opinions fail them and destroy the value of their advice. The President created an international commission, without authority from Congress, to consider the vital question of the type of a canal that the American people are endeavoring to construct.

Such appeals to other nations on a subject that is domestic in all its important belongings is without precedent and is un-American. It is so considered by our people, and especially by our great and enlightened engineers. But the President took care to associate with them some Americans who are an honor to our country. I would have preferred a jury of Americans, and would have followed their advice without hesitancy.

The result of their deliberations was in favor of a sea-level canal. This was the natural result of the opinion of the

world—that a sea-level canal for great ships must be preferable to any lock canal, both types being properly constructed. We have no criticisms to make of the findings of the foreign engineers; but I think the President has inflicted upon them an unnecessary and, I hope, an unintended criticism in his sudden declaration that he would construct a lock-level canal with the dam at Gatun. Congress, however, is also included in this Presidential snub, and we share it with the foreigners.

The preparation of facts to be ascertained by explorations and borings was inadequate to enable the foreign engineers to accept the plan submitted to them. The deficiencies are obvious and numerous. They were not disposed to accept theories worked out on paper by an engineer who had never seen Panama—plans worked up in his office far away in New England. That engineer claims to have designed the plan for the dam at Gatun, and that it was modeled on the plan of a dam for a water supply and filtration works near Boston. That structure has not yet been tested, and it may fail. Studies in a laboratory at Boston scarcely meet the requirements of absolute faith when applied to different conditions at Gatun.

This plan was presented to the Board of Consulting Engineers by its inventor, and he gently complains that it was not considered for many days when an engineer of the Board characterized it as an "engineering guess."

This seems to have warmed up the inventor until he is aggressive in attacking the statements of such men as Professor Burr and Mr. Parsons.

I regret, Mr. President, that I have not time to read to the Senate at large the introductory remarks of this distinguished engineer before the committee—his introduction of himself to our favorable consideration—which we gave, so far as his manners and conduct were concerned, with great pleasure; but it seemed to me as if he had come prepared with a case stated, and upon the examination, in the profundity of his knowledge, I think he discovered many things that are not known to anybody else but himself, which are not stated historically, and, perhaps, are not referred to in books on geology, etc. He seemed to think they were necessary as a foundation for his disquisition. I should like for Senators who wish to inform themselves of the real value of this Gatun project to take up the testimony of Mr. Stearns and read it.

Mr. Stearns invented the plan, or copied it from the filtration plant or water-supply plant that he had in the vicinity of Boston. A part of it was made, as he says, the model of that dam, which appears on the map that hangs on the wall there; another part made in cut stone, and so on all around. He seems to have tried every experiment that he knew anything about in order to get the walls to his satisfaction, and he is waiting to see them give way. I think there is no doubt of that.

This gentleman went into the geological conditions and the structure of the earth there and elsewhere, and developed such remarkable and profound studies that he had made of the Isthmus of Panama in his office in Boston, that I became almost awed in his presence. He started with the proposition that the world was made of rock originally, and then he admitted that some water came and washed down gullies in the rock, and those gullies grew wider and wider, and then there was soil, and then trees followed and other things began to grow up.

When he got down to Gatun and to the coastal plain of Panama he discovered that there had been at first an elevation, a considerable elevation of the soil along the coast of Panama, and that after a lapse of time, he did not know exactly when or how, this great elevation was depressed and disappeared into the sea. When it got down there, the waters had cut two great gulches—they are there on this map [indicating]—and they were filled up with drift from the highlands. There the trees grew, and the water commenced to deposit silt and gravel, and then sand, then rock, and the like of that. Finally it was all filled up, and these two great gulches there, one of them 228 feet deep and another one—I will ask the Senator from South Dakota how deep that was?

Mr. KITTREDGE. Two hundred and four and 258 feet were the depths.

Mr. MORGAN. Yes; 204 feet and 258 feet. The deepest one was some 600 feet across the top, and the shallowest was about half a mile across the top.

Mr. HOPKINS. One 800 feet and the other 1,800 feet.

Mr. MORGAN. Yes; pretty nearly half a mile.

Now, according to the arrangement of the rising and subsidence of this coast—I do not think anybody ever dreamed of that but him—these gulches were left there to be filled up down to 258 feet, which was shown by drill holes bored entirely through this blanket of indurated clay of which he speaks. There was still found gravel and water at the bottom

of the deepest boring, but no rock was found at the depth of 258 feet. Just above that there was clay and sand. It was like a cheese cake or a sandwich; one layer piled upon the other to a depth of 258 feet, until finally the gulch had been filled up in this manner.

Mr. SCOTT. May I ask the Senator from Alabama a question?

Mr. MORGAN. Certainly.

Mr. SCOTT. Had this learned man looked into the route which I have advocated, so as to be able to tell us the condition of the rock in the mountains there?

Mr. MORGAN. He could not see through the mountain, because, unfortunately, no hole had been bored through; but if he had ever been called upon for an opinion, he would have given one without the slightest hesitancy. There is no doubt about that.

Mr. SCOTT. I thought perhaps he might have done so.

Mr. MORGAN. I want the Senate to read that opinion for this reason: Mr. Stevens was a direct, square, fair man. In giving his statements he would come to a proposition and say: "I do not know about that, but Mr. Stearns will follow me, and he will explain it." Twice he made that reference to Mr. Stearns in answer to a question. Then Mr. Noble is one of the noblest men I have ever known. He said in substance that he had been very much averse to the idea of a dam at Gatun, or at Bohio either, for the matter of that; although he subscribed to the report for the dam at Bohio, he was quite strongly inclined to favor a sea-level canal, but he encountered Professor Stearns and he was rather converted and brought over. We have got to give due respect to the testimony of experts in all these things, but if one is to follow science in this matter exclusively it will not do to rely upon plain common sense, it seems to me.

With these cursory—and I feel that they are almost disconnected—propositions which I have stated, I will return to the proposition and state for the last time that I expect I shall have occasion to state it that the great controlling question in this case, that as to the flood waters of the Chagres River, no device has ever yet been suggested by any man that would control them except a sea-level canal with a dam at Gamboa.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. MORGAN. Certainly.

Mr. FORAKER. Before the Senator takes his seat, I should like for him to tell us, if he is informed about it, what there is on the top of the ground at the place where the Gatun dam is to be constructed—I mean the ground that is to be covered by the water that is to be backed up by the dam, 110 square miles.

Mr. MORGAN. You can get the exact description from Mr. Stevens's statement as to what is on top. He calls it loam and mud.

Mr. FORAKER. I do not mean that. I mean, is there a wood there; trees or jungle or what?

Mr. MORGAN. There are vines, briars, chaparral, grass, and all manner of obstructions of native growth covering the whole body of that land.

Mr. FORAKER. The Senator from Pennsylvania [Mr. Knox] yesterday, in calling attention to the map that he made use of, said the blue on the map indicated a depth of 45 feet of water. I wanted to know whether that was over an unobstructed surface or whether there was woodland there; and if so, what was its height? I saw it stated somewhere by somebody that the country there is covered all over with trees. Is there anyone who can give any information about it?

Mr. MILLARD. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. MORGAN. Certainly.

Mr. MILLARD. I will say to the Senator from Ohio that there is occasionally a tree—in a hundred or a thousand feet. Those trees, as well as the jungle, will all be removed when the canal is constructed, which will make a regular waterway 45 feet deep and from 300 to 1,000 feet wide.

Mr. FORAKER. In other words, would it interfere with the sailing of a ship?

Mr. MILLARD. Not at all.

Mr. MORGAN. I will say to the Senator from Ohio that in the letter from Mr. Hunter, the president of the Manchester Canal, he gives the description the Senator from Ohio [Mr. FORAKER] is asking about. I will ask the Senator from South Dakota [Mr. KITTREDGE] to read it.

Mr. FORAKER. Perhaps that is where I saw the statement to which I was referring. I know I saw it somewhere, and I should like to have it read.

Mr. KITTREDGE. It is as follows:

Members of the committee who have visited the Isthmus will remember the appearance of the landscape which presents itself to a spectator standing on the foothills near Gatun and looking over the immense tract of country which it is proposed to submerge by the waters to be retained by the Gatun dam. With small exceptions the whole area is occupied by dense tropical vegetation. Trees of different species, some of great size, canebreaks, and jungle-like undergrowth clothe the hills and the valleys with an impenetrable covering. It is not proposed that any attempt should be made to clear the site of the lake from this herbaceous obstruction. Such a proposal would be impracticable; it would be in the nature of an attempt to translate the legendary labors of Sisyphus into more costly but equally futile efforts in modern life. It is doubtful whether it will be found possible to clear even the lines of the submerged channels, owing to the extraordinary rapidity of growth in an atmosphere so humid as that of Panama. The flooding of this great area will produce a submerged forest; every tree and shrub will perish, will, as experience has shown, ultimately fall, and the result will be that an unlimited supply of water-logged snags will be provided, which will furnish obstacles of the sort which are viewed with more dread than any other by those responsible for the safe passage of vessels along waterways, as the snags neither float nor sink, but are carried to and fro in the water, and nothing can be done either to determine the whereabouts of the invisible obstructions or to protect shipping from contact with them.

The presence of such unseen obstacles will render it essential for steamers, for the sake of their propellers, to crawl through these lake navigations instead of steaming full speed ahead, as the authors of the minority report appear to imagine.

Should any of the honorable members of the committee think that this account is overdrawn, I beg respectfully to suggest that they will call for particulars of the present condition of the embayment on the Atlantic side, into which the Rio Chagres discharges, and which I, together with two other members of the Board, had an opportunity of viewing when in Panama.

Mr. MORGAN. I will give a further answer to the Senator from Ohio in this way: Panama on the Caribbean side is, perhaps, the most queer and unaccountable country in the world. It is all covered over at intervals of from 50 to 500 yards with hills, like potato hills, that grow up from 50 to 250 feet high, all of them evidently of volcanic origin. They have been thrown up there and have taken their slopes from the weight and compactness of the material. They are not in ridges, though at the same time they are strung along in such a way that there is elevated ground between some of them. Underlying those hills, or intermixed with the soil of those hills and underlying the top surface, the loam surface of the general country, there is what is called a blanket of indurated clay. How far that extends nobody has ascertained. There has been very little inquiry—almost none at all—made into the geology of that country, and I think absolutely none into the chemistry of these composite clays called "rocks." That blanket is represented on the picture that is on the wall yonder by the dark salmon-color base.

It has a good many undulations, sometimes on the upper surface and sometimes down on its bottom surface. It has a great variety of combinations of materials. If you should bore a hole in that material and get out a specimen and examine its chemical analysis and then take another specimen 20 feet away, such a discrepancy would be shown between them that you would not suppose they had come from the same source at all. As to stratification, there are no pretensions to any, any more than there is in a bank of clay. It is not rock at all. With your knife you can cut it like you could a piece of chalk, and although it contains some sand, it will scarcely dull the knife. Some specimens of it you can crumble with your hand; others are harder.

Where did that blanket come from which extends as far down the coast at least as Colon, and, I think, down below the mouth of the Chagres River? Nobody pretends to account for it. It has in general appearance a dark, shady look, but there are differences in the coloring. Mr. Stevens, who evidently is not an educated geologist, says it is tufa. Well, if it is tufa it came out of volcanoes; it came out of the enormous extinct volcanoes that exist on the Culebra ridge and the Emperor ridge. Those volcanic pits are there yet. I have examined a witness, whose testimony appears somewhere in the reports, who said he went down into some of them. The gentleman, I think, is an officer of the Navy. You may pass by one, perhaps within 50 yards of it, without ever discovering it, because the growth is so thick you can not see anything. It is like looking through the wall of the Capitol here—you can not see anything through it.

It will never do to say that that bed of stuff they call "indurated clay"—some call it "rock"—with all these differences in density from place to place will answer the purposes of rock for the foundation of anything, because it has no stratification. It is not held together in long ranges, beds, or quarries by common elements of stratification. Every pound of it is separate from every other pound in its organization. Each part is an independent factor and has its own chemical ingredients. Imagine a gulch cut through there 204 feet deep. Cut down 204 feet into that material and more than half a mile across. You will go 400 yards perhaps, and you will strike another gulch that is 258 feet deep, and down at the bottom of it you will find

coarse sand and gravel and water percolating through it and running through it away down below the depth of that blanket. It is this blanket of so-called "indurated clay" that they propose to build this dam upon. In building the dam, when they come to these gulches, what do they do? They do not remove anything except 40 or 50 feet of loam.

Mr. KITTREDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. MORGAN. Certainly.

Mr. KITTREDGE. It is only 10 or 15 feet that they propose to remove from the surface.

Mr. MORGAN. Yes; that is right at that place.

Mr. HOPKINS. Most of it is indurated clay.

Mr. MORGAN. They remove that much of the surface, and they remove bushes and trees, etc., to get a fair field to work on, and then they commence piling dirt upon it, in the one case half a mile across and 205 feet deep, and in the other case nearly a quarter of a mile across and 258 feet deep. They propose, by piling that yellow bank of dirt that you see there marked on the map upon this stuff and across these gulches, so to compress the material that is contained in them, consisting of sand and gravel and wood and loam and clay, that it will be impervious to water, and will become a solid foundation for the earth dam.

Mr. Stearns says that in the building of these dams there is necessarily a shrinkage. I suppose that after this dam has been built there will be a shrinkage of 3 feet. I think I am right as to that. Well, if that whole dam be let down 3 feet, or even 3 inches, on account of the pressure of water above this gulch filled with the material I have indicated, there is no safety about it. While that settling is going on the water will have something to do with it, because the water will be held at 85 feet, and will it not find its way to its level by penetrating through that mass? Once it makes a hole through it, if it is not bigger than the hole of a crawfish, will not the effect be just like the effect of a crawfish hole in the embankments of the Mississippi River? So when the next high current comes you will find there is a flood working through there. The pressure of water will wash it out, just as it continually is doing every year.

That experience has been repeated a thousand times on the Mississippi River. And yet we are running that same danger under the advice of Professor Stearns, who made his experiment by forcing water through beds of sand and beds of gravel and beds of loam and beds of clay in his study at Boston, never having seen the isthmian canal except for eight days and not knowing to-day what are the ingredients of the soil on the Isthmus at Gatun. I tried to get him to define the indurated clay, but he could not tell what it was or where it came from.

If we have to rely for a foundation for this dam upon this blanket of indurated clay that already has been cut through by the waters of the Chagres River until there is one chasm there 258 feet deep, filled up with this varied material, and another one 204 feet deep and half a mile wide, have we not a right to suppose the same attack, from the same source, by the same river will undermine and sweep away all that we put on the top of it? How does piling material on the top of that blanket of indurated clay make it able to resist the washing effects of the Chagres River?

It makes no difference how firm this stuff may appear to be in your hands, or appear to the eye, it is nevertheless pervious to water when in motion. The water has already carved these big gulches into this material, and will continue to do it. In the gulch that is 258 feet deep it has cut entirely through the blanket, and these borings prove it.

I mentioned, as I was speaking a while ago, that, at all events and under any circumstances, the Senate of the United States ought to insist that the final plan of this canal should not be determined upon, especially if the sea-level is excluded, until there have been some reasonable explorations by borings of that material. Gen. Peter Hains sent to Panama and got me specimens of borings from Culebra Heights clear on down to Gatun. Then they were submitted to the Geological Survey here, and I have the chemical analyses in my possession.

There is no such thing as stratification in that soil. There is a mixture of sand and clay and iron, and things of that kind; but there is no stratification at all. It has not anything like the strength of adobe brick. When you come to apply water to it in a current, it washes it away and carries it off. Why is it that the Government of the United States, handling such a question as this at such a place as this and under such circumstances as these, has never thought to have its geologists go down there and examine its strength, and its chemists to take material from there and ascertain what its crushing strain is and what its

breaking strain is and what its tensile strain is to the square inch or the square foot?

I say the Government has been extremely negligent. We have had working upon the canal a lot of men who were great builders of railroads, and the like of that, but they are not the men to look into the actual scientific conditions there and ascertain the real foundations upon which we are to act.

Mr. President, these doubts have very greatly impressed me. I have nothing to go by but the testimony of the witnesses brought here—Mr. Noble, and Mr. Stearns and Mr. Stevens—and standing on that and guiding myself entirely by the testimony they have given, I come to the conclusion that it would be extra hazardous to cast a vote to build a dam at Gatun. I would rather build it at Bohio than at Gatun. It is easier to do it, and it will have a better foundation. At Bohio they have actual rock foundation at a hundred and sixty-eight feet, instead of a hundred and twenty-eight feet below sea level. We have suffered enough in having this question forced ahead upon the testimony and the advice and the recommendations of men who did not know what they were talking about and did not take pains to find out.

That great commission, with these great men upon it—one of whom was Mr. Noble, George S. Morison was another, Admiral Walker was another—ascertained and reported to the Congress of the United States, in the report I have here, in so many words, as the result of borings at Bohio, that they had found solid rock clear across between the points of the ridges in that valley at a hundred and twenty-eight feet. I did not believe it at the time. Not that I thought they were misrepresenting, but because I knew that they had not used the proper instrumentalities to ascertain the fact. That is to say, they used these water drills, these churn drills, and when you strike a boulder with one of them, you can not tell whether it is a foot thick or a thousand feet thick. You can not enter it. But they found these boulders, scattered across at convenient distances, I suppose, and they reported to the Government of the United States that solid rock foundations were found there at a hundred and twenty-eight feet.

While that was an immense departure from any depth for a dam that had ever been built anywhere in the world—a tremendous exaggeration of what we conceived to be our opportunity to build dams—we recklessly adopted it. Mr. Wallace was appointed chief engineer, and he did not believe it. He knew the kind of drills they had used. He used diamond drills. Instead of finding solid rock at a hundred and twenty-eight feet, he went down to a hundred and sixty-eight feet, and when he found it he went into it with his diamond drills and proved it.

Now, the whole of this trouble that we are in to-day has resulted from the fact that we were misled by these Commissioners as to 40 feet in the depth of the rock below sea level at Bohio. I do not say intentionally. I do not believe that. Nevertheless we were misled. But in the haste of action they came off and left the men there to bore the holes, and they were here in Washington when the holes were bored and they got the reports. I saw the borings they brought up. I got their report. The Congress of the United States changed the whole system of canalization upon the basis of that report, and the President changed the location of the canal to Panama. It has been really the Iliad of all our woes and is to-day, and now, when we have escaped from that, do not let us venture in a headstrong and precipitate way to do the same thing at Gatun under circumstances very much more difficult than existed at Bohio. The difference is 258 feet at Gatun and 168 at Bohio, with no rock foundation at Gatun.

Mr. TALIAFERRO. Two hundred and fifty feet at Gatun.

Mr. MORGAN. Two hundred and fifty-eight feet at Gatun. That is the difference between what they call the "rock level," and when they get down 258 feet, instead of going to the rock level, after getting through the blanket, they have found flowing water amongst coarse gravel.

I say there never was more danger in a proposition that was ever advanced to a legislative tribunal in this world than is advanced in the Gatun dam and recommended to the Congress of the United States.

Mr. PERKINS. Mr. President, after several years' consideration and debate Congress decided to build an interoceanic canal at Panama. Now, years after we decided to construct a canal, and after examinations and reports by engineers and commissions from the time of De Lesseps to the present day, the result of which is a strong preponderance of evidence in behalf of a certain type of canal, we are endeavoring to determine what kind of a canal we shall build. Every Senator on this floor desires to vote right, to vote for the canal which will be constructed in the shortest period of time, one which will be substantial and reliable, and afford the best means of transporta-

tion from ocean to ocean. We have heard the opinions, and the testimony is very voluminous, of scientific men and of engineers. Many who reported in previous years have changed their minds. Even our scientific friends change their minds about as often as the wind changes down in the Gulf of Mexico in the month of August, which is every few hours. Having the same common object in view, to do that which is for the best interest of commerce, and to the honor of our country, some of us have given a cursory reading to the testimony, and must draw our own conclusions. Certainly every one of us prefers a sea-level canal if it be practicable to build it and to build it within a reasonable time, as much as we prefer to walk on the level ground rather than to walk upstairs step by step, as much as we prefer to travel in a steamer rather than to swim in the water. The question, therefore, is what is the practical thing, the most expedient thing for us to do in our official capacity representing the people of the country.

Throughout the whole course of canal history the one fact that stands out with vivid distinctness is the element of delay. The Mexicans call it "mañana"—to-morrow, next month, next year—and it has been procrastinated from time to time. Young, in his Night Thoughts, tells us "Procrastination is the thief of time." It was so under French management. I am sorry to say that we appear to be entering upon the same course. Through delay over \$250,000,000 of the money of the French people was frittered away with practically no results, except to show that the original plan of De Lesseps was impracticable, for the reason that there was not money enough available in one of the richest countries on earth to dig a tide-level canal. Out of this was developed the feasibility of constructing a lock canal at a comparatively reasonable cost and in a reasonable time. If we are wise we shall accept the lesson taught us by the experience of France, avoid the lamentable mistake made by the enthusiastic French engineers, and adopt a plan of canal that is, I think, universally accepted as practicable, safe, and capable of execution within a period which will not cause the patience of a willing people to become exhausted. Only in this way, I believe, can we avoid another and a greater scandal than that under which the French canal scheme is so deeply buried.

Mr. SCOTT. May I ask the Senator from California a question?

Mr. PERKINS. With pleasure.

Mr. SCOTT. The Senator in making this speech to us, who are seeking light, I take it is making it from the experience of a man who knows the sea, of a man who knows what it is to navigate a vessel. Upon that theory he is giving us his personal experience, we may say, with respect to what he believes to be the proper and best type.

Mr. PERKINS. It is said that a wise man learns from the experience of others. One who is not so wise ought to learn something from his own experience. I have had some practical knowledge in building dams, in digging ditches, etc., but they have resulted in a financial way similar to the experience of the French people in constructing the Panama sea-level canal. So the few remarks I am making are more to define my own position and why I have come to this conclusion. I was in favor of a sea-level canal, but after investigating it somewhat I have come to the conclusion which I am endeavoring now to present. Undoubtedly my distinguished friend the Senator from South Dakota [Mr. KITTEDGE], and the Senator from Nebraska [Mr. MILLARD], and other members of the committee who have devoted months to a study of this question, are better equipped and have a greater fund of knowledge to impart to us relative to this than it is possible for us to have who have given it only a cursory examination.

It would not be profitable to recapitulate the investigations and examinations made under French auspices to determine the type of canal practicable at Panama within a reasonable time and at a reasonable cost. The Technical Commission, of which W. Henry Hunter, engineer of the Manchester Canal, was a member, and who has been quoted here in favor of a sea-level canal, made an exhaustive examination and a full report, from which there was no dissent. The principles governing the Commission in its treatment of the problems were as follows:

(1) Every solution must be rejected a priori which, in itself and apart from any consideration of time and expense, does not present absolute guaranty of certain success; (2) in preparing the plans of the several structures required by so important and complicated a work, such types only should be adopted as have been proven to be satisfactory by experience, barring out all innovations which might lead to failure; (3) in the examination of all questions the special conditions under which the work is to be executed should be taken into account.

Considering the problems presented, therefore, in accordance with these same rules, the Commission found that the problem

of caring for the Chagres River and its overflow waters was of transcendent importance. In the case of a sea-level canal, this problem, it was found, could not be solved within the limits of safety which the Commission had laid down. The Commission said:

To turn the stream completely from its course and to direct it to the Pacific slope * * * would be a colossal undertaking, requiring an amount of labor which would render it impracticable. It therefore becomes necessary to make of the river and of the canal two neighbors whose character and wants are to be harmonized. * * * An artificial bed established at a higher elevation than the canal would prove a work very difficult to execute, but also to be a danger, a permanent menace to the canal itself. We can consequently state that the principal obstacle to the execution of a canal without locks results less from the difficulties entailed by the execution of the deep cut at the summit than from those which spring from the proximity of the Chagres in the region to be crossed before reaching that summit. *It will not, perhaps, be too much to maintain that herein lies an obstacle insurmountable to a conception of that kind. * * * We can only learn from the unfortunate past that material proof has been furnished that a canal without locks to unite the two oceans is an undertaking, the realization of which can not be thought of, certainly for a long time to come.*

How Mr. Hunter, who signed this report, can make his later opinion tally with it is a labor which I will leave him to perform. I am unable to do so for him or to reconcile the opinion he then advanced with the letter which was placed on our desks a few weeks ago. He has since been quoted here as an advocate of a sea-level canal, and in a letter which has been printed for the information of the Senate he refers to the problem of the Chagres River and its overflow as a matter of no consequence whatever—a point which he formerly considered of absolutely vital importance. And yet we have no authentic report that the clouds have not yielded the moisture with as much prolificness as they did prior to the time he made that report. Our information is that there are 120 inches of rainfall on an average on the Caribbean side of the Isthmus of Panama, while on the summit it averages 90 inches per annum and on the Pacific slope about 75 inches.

Here is what Mr. Hunter says in his latest communication:

Much necessary apprehension has been expressed both as to the effect and as to the probable cost of the works required for the regulation of the side streams which will flow into the sea-level canal. The works will be very simple in their design and very direct in their operation. No elaborate systems of masonry construction, for the purpose of converting the streams into cascades, will be required or need be contemplated. It will suffice if the streams, when not diverted altogether, whether higher or lower in level (as compared with the level of water in the canal), are in each case allowed to fall directly into a pool to be formed at the foot of each, from which pool the water will flow over a weir into the canal, the short channel from the weir being laid out on such lines and at such depths as will reduce velocity to the point required to eliminate appreciable current.

Therefore I think his testimony, as my legal friends would say in presenting it to the jury, would amount to nothing as far as his opinion is concerned, and the letter which I read with much interest, and which has been placed upon our desks—

Mr. KITTREDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from South Dakota?

Mr. PERKINS. With pleasure.

Mr. KITTREDGE. Is it not a fact that Mr. Hunter, in declaring for the type of canal suggested by the Senator, was limited by the French company to the construction of a canal within a given time and within a given cost?

Mr. PERKINS. I think if I send for a physician and ask him to examine me to determine whether I have any symptoms of rheumatism, and he finds some other disease, he would be false to his profession if he did not give me a correct diagnosis of the case, such as his professional ability would warrant him in giving. So I say about Mr. Hunter—

Mr. HOPKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Illinois?

Mr. PERKINS. With pleasure.

Mr. HOPKINS. Mr. Hunter himself does not say that the point made by the Senator from South Dakota is the one which changed his mind.

Mr. PERKINS. We will leave that to Mr. Hunter, for his opinion as to the canal has very little weight with me.

Mr. FORAKER. May I ask the Senator from Illinois whether Mr. Hunter does anywhere state what was the cause of his change of opinion?

Mr. HOPKINS. My remembrance now is that he has not given a substantial, reasonable explanation for his change of opinion, but—

Mr. FORAKER. Does the Senator know whether an inquiry was made of him as to that?

Mr. HOPKINS. I will say to the Senator that Mr. Hunter never appeared before our committee, and that the communication which has been read here is one, as I remember, that was

never given to our committee, but to one member, who entered into a private correspondence with him.

Mr. FORAKER. It seems to be in the nature of a letter.

Mr. HOPKINS. Yes; not to the committee, but to a member of it.

Mr. PERKINS. I submit that this remarkable change of opinion demands a fuller explanation than the reader of Mr. Hunter's letter can make for himself.

Chief Engineer Stevens, in his testimony before the Senate committee, most vividly brought out the strength of the opinion of the technical commission and the weakness of Mr. Hunter's later views. I desire to say in passing that while I have never met Mr. Stevens, I know he stands high in his profession. I know he is a patriotic, true American. I know he is placed in charge as chief engineer of this greatest undertaking of the present generation; and who is there who has a greater interest, who is more desirous of making a success of the work in which he is engaged than is the chief engineer of this great enterprise? Therefore, I give more weight to him, not because he is an American, and yet I feel very kindly toward my own, but I certainly give more weight to him as an engineer than I do to Mr. Hunter, our British friend across the water, who came here for a consideration and is not actuated or animated by any patriotic motives. Mr. Stevens says:

Now, you can put this picture on the plates of your minds: You would have practically, under this present majority report of a sea-level canal, a little, narrow, tortuous strip, the sewer of the country, down at the bottom of everything, with torrential mountain streams pouring down there into it with a fall of from 15 to 120 feet. You have got a current there which, from the best scientific authority we can get, figures out 3 miles an hour. This is a channel 150 feet wide nearly the entire way, only 150 feet wide at the bottom, with sharp curvature, and less than twice the width of the vessel that will have to navigate it, with from 2 to 4 feet of water under their keels, going against a current of nearly 3 miles an hour, which would require them to run at least 7 miles an hour to keep steerageway with their own steam. I do not think there is a shipowner or a ship company on earth that would put a ship through that canal.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Ohio?

Mr. PERKINS. With pleasure.

Mr. FORAKER. The Senator's comment on the current reminds me of a little information I should like to get from somebody on that point. I have not yet heard anybody tell which way this current is to run, north or south, or whether it is to run constantly in the same direction, or whether the tides affect it, and part of the time it will run one way and part of the time another. Can the Senator give us any information on that point?

Mr. PERKINS. I am told that the water in the canal seeks its level, and part of it runs east and part of it runs to the west.

Mr. FORAKER. I know; but where does it come from?

Mr. PERKINS. It comes from the Chagres River, or this lake.

Mr. FORAKER. Does not the water flow in from both sides? The canal connects the two oceans, and I supposed there would be a current all the way through at one time in one direction and at another in another, accordingly as the tides run. But nobody has yet been able to give me any information on that point. I have made the inquiry several times.

Mr. PERKINS. A sea-level canal—

Mr. FORAKER. If the Senator will allow me to interrupt him just a little further—

Mr. PERKINS. Certainly.

Mr. FORAKER. I do not know how an engineer can compute what the current will be, how rapidly it is running, until it is first determined which way it is going to run.

Mr. PERKINS. In a lock canal there is supposed to be still water. In the sea-level canal the tide—

Mr. FORAKER. I am talking of the sea-level canal, of course.

Mr. NELSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Minnesota?

Mr. PERKINS. With pleasure.

Mr. NELSON. In a sea-level canal would it be any more than what we call "tidal currents" resulting from the ebb and flow of the tide? And how could that be as much as 3 miles an hour?

Mr. PERKINS. The Senator must remember that there are pouring into the canal some thirteen streams—

Mr. HOPKINS. Seventeen.

Mr. PERKINS. With so many thousands of inches of water coming from these mountain streams, and with the rainfall—

Mr. FORAKER. The testimony, so far as I have read it, shows that a good part of the time there is not very much water coming from these streams. There is an appreciable

amount and an amount that affects the current only when they are having the torrential rains, making torrential floods.

Mr. HOPKINS. This covers between eight and nine months of the year. Of course, during the dry season it is a minimum. The flow then is very light.

Mr. FORAKER. So I understand.

Mr. HOPKINS. But eight or nine months in the year they have these tremendous rains, when the rivers flow with tremendous current down into the canal. It is provided, even with the Gamboa dam, that during this season 15,000 cubic inches per second will pass into the canal where it is about a hundred and thirty feet above—

Mr. FORAKER. But during the dry season there will be a current 40 feet in depth—

Mr. KITTREDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from South Dakota?

Mr. PERKINS. We are all in search of light, and the more information we can receive upon this subject, the more intelligently we can vote to-morrow. No one interrupts me at all. I yield to the Senator from South Dakota.

Mr. KITTREDGE. This matter of currents is apparently not well understood. As a matter of fact the currents caused by the introduction of the waters from the streams tributary to the Chagres River is negligible. It does not exceed one mile to one mile and a half per hour, except in times of great floods, and then for a period of not exceeding sixty hours, judging by the history of floods, it may reach two miles and six-tenths per hour. That current, according to the statements of shipmasters and pilots, whose evidence appears in the RECORD as a part of the remarks submitted by me two or three weeks ago, is not regarded by any one of them as any obstacle to easy transportation in the canal.

Mr. HOPKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Illinois?

Mr. PERKINS. With pleasure.

Mr. HOPKINS. If the Senator will allow me, I desire to put in opposition to the statement made by the Senator from South Dakota that of the chief engineer of the Suez Canal, who says that that canal is less tortuous than the proposed sea-level canal, and it is difficult to navigate the larger ships which go through the canal, and the larger ships are only 500 feet in length, a little over half the size of the larger ships that are proposed to be navigated through this canal. So, upon the basis of the evidence offered by the chief engineer of the Suez Canal, it would be utterly impossible to navigate one of the larger ships, even on the slower current, as expressed by the Senator from South Dakota.

Mr. MALLORY. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Florida?

Mr. PERKINS. Certainly.

Mr. MALLORY. I should like to ask the Senator from California if he is certain that in Mr. Stevens's remarks the current referred to is the current caused by the influx of water from the tributary streams or whether it is the tidal current that may flow though there by reason of the higher tide on the Pacific.

Mr. PERKINS. I think it means the tide on the Pacific. I stopped in the middle of the quotation. I will quote further from Mr. Stevens.

Mr. MALLORY. What I wanted to say in this connection is that it strikes me if that is the current he is referring to it will not run in the same direction all the time, that it will vary in its direction according to whether there is a rising tide or a falling tide, and that ought to be largely controlled by the lock at the Pacific end of the canal.

Mr. PERKINS. But let us suppose that we have constructed a "little, narrow, tortuous strip, the sewer of the country, down at the bottom of everything." We shall not even then have a canal without locks. A lock at the Pacific end is absolutely necessary, on account of the high tides of Panama Bay, and if a high-tide level is adopted there will have to be a lock at each end, so where would be the advantage over a canal at a higher elevation? And the curious fact is developed from this study of level that any level except that of Pacific high tide would compel the lowering of vessels into the canal for one-half the time. This is a point which has been brought out very clearly by Hon. William Ham Hall, of San Francisco, Cal., member of the American Society of Civil Engineers, who is eminently qualified to deal with the subject through his education, training, and experience.

I wish to say, in passing, that when I was governor I had the honor of appointing Mr. Hall State engineer of California.

He was a staunch Democrat. He could not see any good in any Republican, but I saw good in him as an engineer, and I selected him by reason of his eminent qualifications. He performed the duties with so much ability that my Democratic successor reappointed him after he had served during my administration. I wish to quote what Mr. Hall said, and I want to reiterate that he is a master of his profession, a man of the highest character and integrity, who went to Panama himself for the French company when they were trying to reorganize, and made a report to his principals in Paris.

On this subject, Mr. Hall writes:

Thus far all the sea-level projects have been for the mean sea or, say, mean-tide plane. The extreme tide movement is about 2 feet at the Atlantic and 20 feet at the Pacific end. Suppose there were 20 feet of tide at the Atlantic as well as the Pacific terminus, would you cut for a mean-tide level then? Think a moment. A lock would be an absolute necessity at each end. For about half the time your water plane would be below sea level at both ends, or for more than half the time at one end or the other.

I think Mr. Hall has answered the question propounded by the Senator from Ohio [Mr. FORAKER], that this sea-level canal would be half the time running one way and half the time the other.

With respect to the waters you sought to join, for half the time your canal would be down in a hole. It would cost much money for the extra excavation to put it there. Would it seem rational to do so? Would you feel justified in so doing? The locks could as well perform the function of raising all the entering vessels to the high-tide plane. The reverse of this would apply to the exits. Only a small proportion of vessels could be passed through without lockage, even if the canal plane were at mean sea level. Remember, you could have a superabundance of water for lockage to and from the high-tide plane in the canal to any plane the tide happened to be at in the sea, or the reverse.

I hope the thoughtful engineer, even though he has been inclined to the sea-level idea of the Panama Canal, will agree with me in this, that if there were 20 feet, say, of tidal movement in both seas, instead of in one only, it would be an absurdity to put the canal water plane at any lower than about ordinarily high full tide. If, then, it would be absurd to stick the canal down in a hole with respect to the water as it would be half of the time at both ends, how are we to look upon the proposal to put it in a hole with respect to the water plane half the time at one end? It would not be polite to speak of this latter proposition as any part of an absurdity, though logically it would seem to be half of an absurdity. We might, however, refer to it as a strange oversight.

It is clearly seen that with a mean-tide level there will be developed the absurdity of lowering vessels into the canal at the Pacific end about half the time. Mr. Hall continues:

That, it seems to me, would be a wasteful engineering error—to cut a waterway from sea to sea, through a summit 333 feet in elevation, to a plane actually lower than nature, for nearly half the time at one end of it, will present the vessels to be taken into it—to make a cutting into which nearly one-fourth of all the vessel entrances would have to be effected by lowering them, and nearly a fourth of the exits by raising them. And for what? To save one lock and one lockage near the Atlantic end; for, remember, there must be a lock near the Pacific end on account of the tidal movement, and that lock could as well raise and deliver all vessels to the high-tide plane as raise or lower them to the mean-tide plane.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Montana?

Mr. PERKINS. With pleasure.

Mr. CARTER. In the statement the Senator has just quoted it is set forth that the sea-level canal would be constructed only for the purpose of avoiding the construction of one lock. Is it not the fact that three locks are contemplated in the lock plan of canal?

Mr. PERKINS. Yes, Mr. President, there are three locks of 28½ feet each, raised 85 feet; but he says there should be two locks there, one a spare lock and then one on the Caribbean Sea, as I understand it.

Mr. CARTER. In the sea-level plan you contemplate a tide lock on the Pacific?

Mr. PERKINS. That is an absolute necessity.

Mr. CARTER. And a tide lock on the Caribbean Sea?

Mr. PERKINS. That I am not so sure about.

Mr. TALIAFERRO. Mr. President—

Mr. CARTER. Another question and then I will be through. What will be the lift, or the drop, as the case may be, in the tide lock on the Pacific?

Mr. PERKINS. I will say to the Senator from Montana that, as he perhaps is aware, it is not alone the rise and fall of the tide naturally, but the contour of Panama Bay is such that the tide rises from 20 to as high as 23 feet, and for that reason the steamships now operating on the Pacific coast are unable to come into the wharf and they anchor out and do their lighterage in Panama.

Mr. CARTER. So the lock canal, as contemplated by the minority report, involves a lift of only 60 feet in excess of what the sea-level canal would require on the Pacific coast?

Mr. PERKINS. I so understand it.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Ohio?

Mr. PERKINS. With pleasure.

Mr. FORAKER. I am only seeking for information. I do not have any such understanding. I understand that the lock, or rather a gate, in the sea-level canal to control the inflow of the tide does not lift the ship at all; that half the time it stands open. I have seen the statement in the testimony of the engineers that it is merely to regulate the inflow of the tide from the sea.

Mr. PERKINS. There is a rise and fall of 20 feet, we will say, at mean tide, and if the ship comes in from the Pacific coast it must be lowered 20 feet, if the water is below that in the canal. If it is going out it must wait until the water is raised 20 feet inside before it can pass out into Panama Bay.

Mr. FORAKER. Is there to be a lock there as well as a gate?

Mr. PERKINS. A lock is contemplated, and necessarily so, the report of this engineer says.

Mr. CARTER. I presume that a vessel, for instance, coming through the canal from the north and facing a solid body of water in the ocean held by a gate 25 feet higher than the water in the canal would of necessity have to go through a lock in order to avoid being submerged, or wait, as the Senator from West Virginia [Mr. SCOTT] suggests to me, until the mean tide has been reached.

Mr. KITTREDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from South Dakota?

Mr. PERKINS. Certainly.

Mr. KITTREDGE. If the Senator from California had read the reports of the engineers regarding this tidal lock, or remembered them, he would not have permitted the inaccurate statements to have gone unchallenged. The tide on the Pacific varies from 11 to 21 feet, and it does not mean that you are confronted by a wall of 20 or 30 feet of water or anything of the sort. Many of the engineers tell us that a tidal lock is absolutely unnecessary at the Pacific coast. The tidal lock was mentioned and put in the report simply in an excess of caution to operate as a gate or break, whatever you may call it, and also in case of necessity to enable boats to pass in and out.

Mr. HOPKINS. Will the Senator from California yield a moment before the Senator from South Dakota takes his seat? I confess I have not understood the testimony as the Senator has expressed it. What engineer has said that it is unnecessary to have a tidal lock on the Pacific side?

Mr. KITTREDGE. I am unable to give the name of the engineer; but that testimony appeared before our committee, and is in the record as a part of the proceedings before the Committee on Inter-oceanic Canals.

Mr. HOPKINS. Some of the engineers have said that that lock could be opened a part of the time; but that is denied by the American engineers and, in my judgment, by the best engineering testimony that we had before us.

Mr. PERKINS. Mr. President—

Mr. HOPKINS. It has been suggested by some of the foreign engineers that it could be open a part of the time, but the American engineers have contended that in the canals abroad where they supposed they could be open it has been found for safe navigation that they should be closed.

Mr. KITTREDGE. If the Senator will yield further—

Mr. PERKINS. Certainly.

Mr. KITTREDGE. The engineers of whom the Senator from Illinois has just spoken all agree that for at least half the time the gates stand wide open.

Mr. HOPKINS. I beg the Senator's pardon. I do not understand the evidence that way.

Mr. PERKINS. Mr. President, here is the CONGRESSIONAL RECORD giving an account of the Coast and Geodetic Survey's report, which shows that the average mean tide at Panama is 16 feet. What I am giving is not what I say, but is a quotation from what William Ham Hall says, a man of the highest standing in his profession as a civil engineer and a member of the American Society of Technical Engineers. His testimony has never been impeached; neither has he ever contradicted himself, as Mr. Engineer Hunter has done.

Mr. FORAKER. Mr. President, I want to call the Senator's attention to the fact that Mr. Hunter has come into this matter, in discussing what his testimony is, in a way that ought to protect him from any reflections upon him that are not really necessary. I find that the President of the United States requested the Government of Great Britain to nominate some engineer, and that the President, when the Government of Great Britain had nominated Mr. Hunter, appointed him and requested him to come here and render this service. It does not seem to have

been a matter about which there was any higgling or dickering or bargaining with a view to have a consideration named, but that he did it like men very frequently engage in work of world-wide importance.

While it is said here that he was at one time in favor of a lock canal and is now in favor of a sea-level, and while it does not appear that there is any explanation given for that change of mind, or apparent change of mind, yet, from reading what I have after Mr. Hunter, he appears to me, at any rate—and I am sure I have no bias about it—in an entirely creditable way. He seems to be a man who is seeking to give us the benefit of his judgment. He may be mistaken about it, but I think, under all the circumstances, he ought to be spared here in our discussion from anything like a reflection upon him, because it is impossible for him to defend himself.

Mr. PERKINS. I fully agree with my friend from Ohio. I have been particularly careful not to reflect upon him. I simply have read an extract from his first report and also from the letter that was placed upon our desks. I said I was unable to reconcile the difference; I will leave it to him to do. If that is not the most charitable criticism one can make of another, I do not know what is.

Mr. FORAKER. The remark I referred to more particularly was the one made by the Senator earlier in the course of his remarks, when he said he would prefer a man who was acting from patriotic and public-spirited impulses rather than a man who had come here for a consideration.

Mr. PERKINS. I think I still entertain that view; but I do not mean—

Mr. FORAKER. But I think the Senator might spare Mr. Hunter from reflections of that kind, when he will remember that Mr. Hunter is not in a situation to defend himself. I do not know the man; I never saw him; I have no interest in him.

Mr. PERKINS. My dear Senator, that certainly is not reflecting upon him. I simply thought his letter left something to him to explain, and undoubtedly he will do so to our satisfaction, and that I preferred an American to a foreigner. Of course I presume that is one of my mental infirmities, for which I crave the charity of my friends.

Mr. FORAKER. The Senator said it was entirely agreeable to him to be interrupted, and—

Mr. PERKINS. I like to have interruptions.

Mr. FORAKER. I should like to interrupt him further. What I want to call attention to is that I do not think there is anything in this record which justifies us in concluding that Mr. Hunter is here simply for the compensation that he might be able to realize from it, but he is appointed in a way that is of the highest credit to him.

Mr. PERKINS. I think so.

Mr. FORAKER. Therefore, in reading after him, I think he has shown himself to have given this subject a great deal of careful study. He may have reached wrong conclusions, but I think he is entitled to most respectful consideration in every way.

Mr. PERKINS. I fully concur in what my friend from Ohio has said. No one has more respect and admiration for him, and I will impute to him none but the purest motives. Certainly only by inference have I reflected upon him.

However, the American engineer, Mr. Hall, says:

I must confess at the outset, therefore, that the proposal to buy the advantage of floating ships from the Atlantic into the canal without lockage at all, at the expense of arranging to lower them into it almost half the time from the Pacific, does not appeal to me as being sound, especially when the cost will be the deepening of the canal 6 to 9 feet for its entire length, and the saving will be only one lock for about a 7 to 10 foot lift. (A foot of these latter figures is on account of the tide at Colon.)

Mr. Hall says further:

The 6 to 9 feet of excavation would necessarily be the most expensive 6 to 9 feet in depth of the entire cutting. Aside from its being the deepest below water level, and probably the most expensive per cubic yard, it, of course, would lower the whole cutting, slopes and all, that much, and would extend the slopes out farther and make more excavation on them than any 6 to 9 feet above it. I venture to say that its cost would be materially more than the cost of a pair of locks with a 10-foot lift. But aside from any showing on the basis of comparative estimates which might be made on this question, as a broad economic problem it would surely be wasteful to cut a waterway through a land summit to a depth such that vessels would at times have to be lowered into it from the waters it was intended to join. Though a great nation foots the bills and though the national aim is above considering the rate of return to be obtained, still it is the honorable province of the engineer not to lead his client into the violation of broad economic laws by the indulging of mere sentiment.

If the engineering absurdity of a mean-tide level is not adopted, there remains the full-tide level, and this level must be that of full tide at Panama. This would carry through to the Atlantic end of the canal a water surface 7 feet or more

above the range of high tide of the Atlantic. Another lock would therefore be necessary at the Colon end, making a full lock canal, though at tide level. But if we must have two locks at tide level there will be just as great interference with commerce as there would be if there were locks lifting vessels 40 or 60 feet instead of 10. There would be obviously no advantage whatever over a high-level canal, while the cost of excavating down to the tide level would double the cost of the work and, perhaps, more than double the time within which it could be executed. Everyone is, I think, familiar with the figures of cost worked out by Frederick P. Stearns, chief engineer of the Massachusetts metropolitan water and sewage board. The cost of a lock canal, completed in nine years, he gives as \$219,000,000; of a sea-level canal, which will take twice as long to build, \$410,000,000. The difference in the interest alone on the money borrowed at 2 per cent for construction work is enormous, the saving being \$60,000,000 to the time of completion alone. And when we have spent this enormous amount of money, have consumed so many precious years, and have added so many millions of dollars to our interest account, we still have a lock canal, with all the disadvantages which are urged against a canal with locks.

It seems to me, therefore, that the sane and safe plan is that of a high-level canal. Under the sea-level plan we have to lift or lower ships by locks. Why, then, do we not lift or lower them 40, 50, or 60 feet, as the case may be, instead of 10, if by so doing we can have just as efficient a canal, save \$200,000,000, nine or ten years, and cut down our canal-interest payments \$60,000,000? From every point of view this seems the only wise course to pursue, and I think that until recently that was the general opinion. The recent earthquake in California caused some who held it to modify their views, on the ground that such a disturbance at Panama would be likely to ruin the engineering works incident to a high-level canal. But this very earthquake has demonstrated the absolute safety of such construction as is proposed, and in support of this assertion I will read an editorial from that unimpeachable engineering authority, the Scientific American. In the issue of June 9, 1906, appears the following:

The San Francisco earthquake is responsible for the Senate Committee on the Panama Canal having cast its vote, by a narrow margin of one, in favor of a sea-level canal. To those of us who have followed closely the course of the lengthy hearing before this committee it was evident that there was a growing conviction that the lock canal was the better type to build, and it looked for a while as though there might be a nearly unanimous vote to this effect. The disaster of April 18, however, was bound to awaken solicitude as to the fate of locks and dams at Panama in case a similar disturbance should visit the Isthmus after the canal was built, and the Senate committee, by a vote of six to five, has committed itself to the sea-level canal, its decision being largely due to the imaginary dangers of earthquake.

We say "imaginary," for, as a matter of fact, and we wish to say this with all emphasis, the San Francisco earthquake, so far from shaking our faith in massive monolithic structures of the character that will be used for a lock canal at Panama, has triumphantly vindicated such structures, and proved that they can go through the severest earthquake practically unharmed.

For it so happens that there exist in the line of the main earthquake fault several large earth or cement structures of the same character or built of the class of materials as it is supposed would be imperiled if the lock canal were subjected to earthquake shock. These structures form part of the extensive scheme of works by which San Francisco is supplied with water, and they include several large dams for the impounding of water. The most important of these, Pilarcitos dam, is a mound of earth 120 feet in height and similar in construction to, though much lighter in its total mass and ability to resist destruction, than the Gatun dam at Panama. Another important dam is that by which San Andreas Lake is formed—

This is in California, within some 40 or 50 miles of San Francisco—

and this is a structure of earth and clay, approximately 100 feet in height above the natural surface of the ground. A third dam, which came directly in the line of the earthquake fault, was that at Crystal Spring. This is a concrete structure of unusually massive proportions, which extends to a height of 115 feet above the ground.

Now, it is evident that the conditions were such that the passage of the main line of disturbance through the valley in which these structures have been erected afforded a colossal testing laboratory, in which the strength both of earth and concrete structures of great size was put to a full-sized test. What concrete and earth endured at these places under one of the severest earthquake shocks on record they may be depended upon to endure again, and the lessons taught on that early morning of April 18 are good for all time and any place. The best description of the effect of the earthquake in this region is that given by Mr. Charles Derleth, associate professor of structural engineering at the University of California, whose observations are recorded in a recent article in the Engineering News. The Pilarcitos reservoir he found to be thoroughly intact and full of water, and its great earthen dam was not injuriously affected. Although the main fault line of the earthquake runs through Crystal Spring Lake, it appears to have in no way affected the imperviousness of its bottom, since the reservoir, two weeks after the earthquake, was found to be full of water. The fault line passes directly through the older dam, which separates the lake into halves, yet the dam was not seriously affected. Again, it was found that though the line of disturbance touches the eastern edge of the San Andreas earth and clay dam, which is nearly 100 feet in height, and there is evidence that it was subjected to a most severe shock, it retains the water just as well as it did before the earthquake, and this in spite of the fact that there are cracks running through the

ground against which the dam abuts. So, again, the concrete dam at Crystal Spring, 115 feet in height, shows not the slightest crack, although it was subjected to a series of thrusts and pulls in vertical planes along its axis.

It is impossible to resist the force of the argument that if these earthen dams in California could pass uninjured through the severe shock and wrenching to which they were subjected, the much more massive Gatun dam, built in a region where shocks are infrequent and of comparatively moderate intensity, might be considered to be practically earthquake proof. So, again, it may fairly well be argued that if a dam of simple concrete 115 feet in height, endured the ordeal of the earthquake without developing a single crack, the 75-foot walls of the Gatun locks, built as they will be, not of simple concrete, but of concrete stiffened, toughened, and thoroughly tied together with steel rods, and with a special eye to resisting earthquake stresses, will present no element of danger to the permanence of the canal.

There is no doubt whatever as to the feasibility of building a canal at Panama of either type proposed. The difference between the two plans resolves itself into a simple question of time and money. Have we so much of both to spare that we need take no heed of the future? Have we forgotten the experience of the French people, who sunk in the enterprise more money than it would cost to build a lock canal and after years of weary delay refused to contribute more? Are we to become heirs to the scandals which surrounded the French undertaking, begun under as favorable auspices as has our own; and is postponement and delay again to disgust the world with the whole scheme, with an American reproduction of the French fiasco at the end?

A canal with locks can be built in eight or nine years if work is conducted on business principles and removed from the influence of politics. Divide the canal route into sections and give each section to the lowest responsible bidder, and you will have results—not otherwise. If the canal is to be built at all it must be built by business men and under business methods, such methods as have built the great railroads of our country, such methods as have developed the mines of our country, such methods as have reclaimed the swamps and the valleys and made them bloom like a green bay tree. We must bring to our aid business principles and conduct this work on business lines, uninfluenced by political or other considerations. If the canal is to be built at all it must be built on those lines. Under the efficient management of men experienced in great undertakings of this kind a canal can be constructed that will be more efficient in all respects than such a sea-level canal as is contemplated. It could be deepened to 50 feet and widened to 300 at a small fraction of the cost of excavating 85 feet of earth along the entire course and then obtaining not only a canal with locks, but a canal of insufficient width and a depth at the limit of safety, which width and depth could not be increased without enormous expense and at the cost of suspension of traffic. To construct a sea-level canal of the dimensions to safely provide for commerce would require the expenditure of fully \$600,000,000, for practically twice as much work would have to be performed, and we should then have only a lock canal whose capacity would be limited by the work of the lock itself. This proposed narrow canal of 150 feet in width at the bottom is wholly inadequate for the purposes of commerce. We should have only a lock canal whose capacity would be limited by the work of the lock itself.

I have been asked, in passing, what I know about lock canals. Mr. President, in this country we have one of the greatest lock canals in the world, and the same principles upon which that is conducted this Panama Canal would be conducted. Last year there passed through the Soo Canal, which connects, as you know, Lake Superior with Lake Huron, 44,000,000 tons of freight in vessels. In one day alone, I am informed, over forty vessels passed through that canal. So, if we construct this lock canal, its facilities will be such that it will give transportation to all vessels that desire to pass through it, while a sea-level canal has many disadvantages for vessels while en route through the canal. No more vessels could go through in a day than the number that the lock could handle, and in consequence a lock of similar capacity on the Atlantic end would not interfere in the least with the efficiency of the canal. Therefore should we expend even four times as much money and time on a sea-level canal as we propose to spend on a lock canal, we should in the end have a waterway in no way more efficient than one constructed on a higher level. A sea-level system of the dimensions proposed would not be so efficient as the proposed lock canal on account of deficient width. It is so narrow—150 feet bottom width—that large vessels would find it extremely difficult of navigation unless all should move in the same direction at the same time. All of this is avoided in the high-level canal through the lake system which is one of its features, and navigation in both directions would never be impeded. There can be not the slightest doubt that this lake system would make a high-level canal more efficient than a "little, narrow, tortuous strip, down at the bottom of everything," for navigation would be far less obstructed, and the

extra lock of the high-level system would be of no disadvantage whatever, for one lock, either at sea level or high level, determines the efficiency of the canal as far as entrances and exits are concerned. To make a sea-level canal as efficient as the high-level system it would be necessary to at least increase the width of the waterway, and this means not only scores of millions of dollars, but years on years of time, and in the end we should have simply a lock canal, whose capacity to handle commerce is governed by the capacity of the lock to handle ships.

It seems to me, therefore, Mr. President, that the question resolves itself simply to this: Are we willing to wait eighteen or twenty years for a canal which will be in no respect better than that which we can have in eight or nine years? Are we willing to pay \$400,000,000 for something which is no better than we can get for about half that sum? Are we willing to abandon all business principles in this connection, as did the French, and sow the seed which will later ripen into a harvest of scandals as nauseous and as fatal to national reputation as were those growing out of the defunct Panama Canal companies' work on the Isthmus and at home? Are we willing to bring into this great project the element of delay, which will as surely kill it as it did the French scheme? If we wish to declare the doom of the Panama Canal, we can do so no better than by voting that the canal shall be dug to sea level. If we so vote, we shall in my opinion, as I understand this question, be recreant to our duty if we do not refuse to appropriate a dollar for the scheme. The sea-level proposition means, in my opinion, that there will be no Panama Canal constructed by the United States; certainly not in this generation. If we are in earnest in this matter, let us look at it in a business way and secure results. The canal is proposed for the benefit of commerce. Then let that be built which is most efficient and consumes least time and money, for commerce is waiting upon it. We have made a declaration to the world that we will build this canal. Let us do it, and those of us who are participating here to-day may see the realization of our hopes in the completion of this great work. An extra ten years would bring about changes and complications that might change the entire complexion of affairs. We can see ahead eight or nine years with sufficient clearness to shape our course. We can hardly do so twenty years away. The only thing that we are certain of is that, should we wait twenty years and should we then by chance find that a canal had been built, we should find that it was a lock canal after all, which could not handle traffic any better than the lock canal that was killed and which, had it been built, would have been passing ships between the Atlantic and Pacific for twelve years.

I believe, Mr. President, that the best interests of this country demand the construction of the lock canal. I believe the recommendations of those who have given thought and consideration to the construction of the canal should be considered, and that the Senate should vote in favor of the construction of a lock canal.

Mr. PROCTOR obtained the floor.

Mr. KITTREDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Vermont yield to the Senator from South Dakota?

Mr. PROCTOR. Certainly.

Mr. KITTREDGE. Upon the subject of currents, which the Senator from California mentioned, I venture to read just a sentence from the report made by the Board of Consulting Engineers upon that subject.

Mr. HOPKINS. From what page?

Mr. KITTREDGE. Page 176. It is as follows:

In the Suez section the velocity of the current very often exceeds 0.60 meter (1.96 feet) per second (2,160 meters per hour, or 1.1 knots), and reaches at times 1.35 meters (4.42 feet) per second (4,860 meters per hour, or 2.6 knots).

In the latter case the ships do not steer very well with the current running in. However, the navigation is never interrupted on account of the current.

Mr. PERKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Vermont yield to the Senator from California?

Mr. PROCTOR. Certainly.

Mr. PERKINS. I want to say, in answer to my friend from South Dakota [Mr. KITTREDGE], that there is no comparison whatever between the Panama Canal and the Suez Canal. A few minutes ago I looked up the curvatures of the Suez Canal as compared with those of the Panama Canal. The Suez Canal is 104 miles long, and it has only fifteen curves, with a total curvature of 467 degrees. The Panama Canal is 49 miles long and has nineteen curves, of 597 degrees. The total curvature of the Suez Canal is about 13 per cent of the route, while that of the Panama Canal is 39 per cent of the whole canal, and in some of the narrow cuts it is as high as 47 per cent. Then, there are other differences in favor of navigating in the Suez

Canal as compared with the Panama Canal. On each side of the Suez Canal is sand, while the Panama Canal two-thirds of the way is hard rock, besides being narrower.

Mr. PROCTOR. Mr. President, in considering the isthmian canal question, I have tried to commence my investigations at the beginning. I regret to say that I have not had time to bring down my researches to within three hundred years and over of the present time; but I am glad to give the results so far as I have gone.

The earliest mention I have found of a canal across the Isthmus is in a book entitled "The Discoveries of the World," composed by the noble and remarkable Capt. Antonio Galvano, in which he speaks of the visit of one Saavedra, "cosen unto Cortes," in 1529. On page 179, under the heading "Discoveries of the Spaniards," is the following paragraph:

Saavedra perceiving that the time and weather was then somewhat better for his purpose, made sail towards the firme lande and (Isthmus of the) citie of Panama (it being not more than 17 or 18 leagues across), where he might unlade the clothes and marchandise which he had, that so in cartes it might be carried (across the plains) fower leagues to the river of Chagre, which they say is naugable, running out into the North Sea not far from Nombre de Dios, where the ships ride which come out of Spaine, by which way all kinde of goods might be brought unto them in shorter time and with lesse danger then to saile about the Cape of Bona Speranca. For from Maluco unto Panama they saile continually betweene the Tropickes and the line, but they neuer found winde to serue that course, and therefore they came backe againe to Maluco very sad, because Saavedra died by the way, who, if he had lined, meant to haue opened the land of Castilla de Oro and New Spaine from sea to sea, which might haue bene done in fower places, namely, from the Gulfe of San Michael to Vraba, which is 25 leagues, or from Panama to Nombre de Dios, being 17 leagues distance, or through Xaguator, a river of Nicaragua, which springeth out of a lake three or fower leagues from the South Sea and falleth into the North Sea, whereupon doe saile great barks and crayers. The other place is from Tecoaatepec through a river to Verdadera Cruz, in the Bay of the Honduras, which also might be opened in a streight. Which if it were done then they might saile from the Canaries unto the Malucos under the climate of the zodiacke in lesse time and with much lesse danger then to saile about the Cape de Bona Speranca or by the streight of Magelan or by the Northwest. And yet if there might be found a streight there to saile into the sea of China, as it hath bene sought (it would doe much good).

In 1551, the year following the appearance of Galvano's book, the Spanish historian, Lopez Gomara, thoroughly convinced of the immediate importance of the project, addressed a special plea to his master Philip, urging him to undertake the work for the further glory of Spain. Three routes he declared to be feasible for this purpose—Tehuantepec, Nicaragua, and Panama.

It is true—

He wrote—

that mountains bar the passes—but if there are mountains, there are also arms—take but the resolve, and the means to do it will not be lacking; the Indies toward which the passage will be opened will furnish them. To a king of Spain, with the riches of the Indies at his doorway, when the end to be obtained is the commerce in its products, the barely possible becomes easy.

Philip appointed two Flemish engineers to have surveys of the routes; but partly because of their unfavorable report, and partly because of reasons of state connected with the mining monopoly, the King, by advice of the council for the Indies, disapproved the plan, and went so far as to forbid any of his subjects to propose it again on pain of death.

The next mention I find of the canal project is in Acosta's History of the Indies (see Hakluyt, vol. 60, p. 135). Joseph de Acosta, a Jesuit, left Spain in 1570 to go to Peru to do missionary work, and it was on his way there that he crossed the Isthmus of Panama. He says:

They say that hee that first discovered this sea ["South Sea"—as it was then called] was called Blasco Nunez de Balboa, the which he did by that part which we now call Tierra Firme, where it grows narrow, and the two seas approach so neere the one to the other that there is but seaven leagues of distance, for although they make the way eigheteene from Nombre de Dios to Panama, yet is it with turning to seeke the comoditie of the way, but drawing a direct line the one sea shall not be found more distant from the other. Some have discoursed and propounded to cut through this passage of seaven leagues, and to joyne one sea to the other, to make the passage from Peru more commodious and easie, for that these eigheteene leagues of land betwixt Nombre de Dios and Panama is more painefull and chargeable then 2,300 by sea, whereupon some would say it were a meanes to drown the land, one sea being lower then another. As in times past we finde it written, that for the same consideration they gave over the enterprize to win the Red Sea into Nile, in the time of King Sesostris, and since, in the empire of the Ottomans. But for my part, I hold such discourses and propositions for vaine, although this inconvenient should not happen, the which I will not hold for assured.

I call this to the especial attention of the Senator from Nebraska [Mr. MILLARD] and the Senator from South Dakota [Mr. KITTREDGE]:

I believe there is no humane power able to beat and brake downe those strong and impenetrable mountaines, which God hath placed betwixt the two seas, and hath made them most hard rockes to withstand the furie of two seas. And although it were possible to men, yet, in my opinion, they should fear punishment from heaven in seeking to correct the workes which the Creator by His great providence hath ordained and disposed in the framing of this universall world.

Although not the first to make mention of it, the fertile mind of the great explorer Champlain passed upon this suggestion of an interoceanic canal, and in the Narrative of his Voyage to the West Indies and Mexico in the years 1599-1602 (see Hakluyt, vol. 23, p. 41) I find the following remarkable passage:

One may judge that if the 4 leagues of land which there are from Panama to this river were cut through one might pass from the south sea to the ocean on the other side, and thus shorten the route by more than 1,500 leagues; and from Panama to the Straits of Magellan would be an island, and from Panama to the New-found-lands would be another island, so that the whole of America would be in two islands.

I am glad to submit these quaint extracts to be printed, especially the one from Champlain, the first white man to visit the lake which bears his name and to set foot on Vermont soil, in 1609, eleven years before the landing of the Pilgrims.

The shot from his arquebus at the war party of Iroquois was the first sound of firearms to wake the echoes of the Adirondack and Green Mountains. It was the opening gun on Lake Champlain, destined for the succeeding one hundred and fifty years to be the scene of many conflicts by land and water.

I will say that Champlain was a Frenchman who lived in the southwest corner of France, next to Spain. He engaged when quite young to go as an assistant with an uncle who had contracted to send supplies for the Spanish Government to their colonies in this country. In his travels through the West Indies and Mexico he was intrusted with responsibility, and made such a reputation that he was sought for by the French Government when he returned and was put in charge of the mission to Canada.

Leaving Spain in 1598, Champlain spent three years in the West Indies and Mexico, crossing the Isthmus from Porto Bello to Panama and viewing the Pacific Ocean from Panama Harbor. He kept records of all his travels, fully illustrated by his own hands, and these quaint and interesting narratives have been preserved through the publications of the Hakluyt Society, of London.

Among the great pioneers on this continent he had no superior—in my view no equal—in general ability. Poorly supported by his home government, burdened by tremendous responsibilities, in the face of seemingly insurmountable obstacles, he was at once a constructive statesman of a high order, a soldier, sailor, explorer, author, diplomat, and executive, and withal a Christian gentleman.

Mr. President, if there is nothing more to be said upon the canal question, I think that ought to be a fitting close to it, and I would ask that the—

Mr. KITTREDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Vermont yield to the Senator from South Dakota?

Mr. PROCTOR. I do.

Mr. KITTREDGE. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. The Senator from South Dakota asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 3743. An act to confirm the right of way of railroads now constructed and in operation in the Territories of Oklahoma and Arizona;

S. 4954. An act authorizing Capt. Ejnar Mikkelsen to act as master of an American vessel;

S. 5512. An act defining the qualifications of jurors for service in the United States district court in Porto Rico;

S. 6333. An act authorizing the Secretary of War to acquire for fortification purposes certain tracts of land on Deer Island, in Boston Harbor, Massachusetts;

S. 6462. An act granting lands to the State of Wisconsin for forestry purposes; and

S. R. 52. Joint resolution authorizing the Secretary of War to donate to the board of trustees of Vincennes University, Vincennes, Ind., such obsolete arms and other military equipments now in possession of said university, to be used in military instruction.

The message also announced that the House had passed a joint resolution (H. J. Res. 21) authorizing the President of the United States to appoint a commission to examine and report upon a route for the construction of a free and open waterway to connect the waters of the Chesapeake and Delaware bays; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution authorizing the Secretary of War to

cause an examination and survey to be made of the harbor at Duluth, Minn., etc.; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 1442) to increase the efficiency of the militia and promote rifle practice; and it was thereupon signed by the Vice-President.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 21. Joint resolution authorizing the President of the United States to appoint a commission to examine and report upon a route for the construction of a free and open waterway to connect the waters of the Chesapeake and Delaware bays; was read twice by its title, and referred to the Committee on Commerce.

SURVEY OF HARBOR AT DULUTH, MINN.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which, on motion of Mr. NELSON, was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made of the harbor at Duluth, Minn., including the entrance thereto, with a view to determining what modifications of the present plan, if any, are desirable.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I ask that the Senate resume consideration of the action of the House on the agricultural appropriation bill.

There being no objection, the Senate resumed consideration of the action of the House of Representatives disagreeing to certain amendments of the Senate to the bill (H. R. 18537) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907, agreeing to amendment No. 29 with an amendment, and requesting a conference on the disagreeing votes of the two Houses.

Mr. McCUMBER. Just before taking up the consideration of the canal bill, the Senator from Wyoming [Mr. WARREN] was addressing the Senate upon this subject, and I assume that he did not finish his address at that time. I do not wish to take his place, although I desire to make some remarks upon the matter.

Mr. WARREN. I am willing that the Senator from North Dakota shall proceed.

Mr. McCUMBER. I will be very brief, occupying only a very few minutes.

Mr. President, when this amendment came before the Senate and was adopted without any discussion, my belief is that very few of the Senators had taken the trouble even to read it over. They had not been apprised, at least, of the fact that it would become a part of this appropriation bill. While it was being read I simply listened, but there were features in it which at that time necessarily challenged one's attention, and features of a legal nature. The amendment provided, as I understand, for the inspection of canned meat of all kinds, without reference to where it was to be used. I know there is a provision whose intentment is that it shall apply only, of course, to interstate commerce and those products which are to become articles of interstate commerce. But I am afraid that they are so blended together that there is danger of a court holding that the amendment may be unconstitutional as dealing with matters which are purely of State cognizance—that is, those over which we have no control by reason of the provision in the Constitution relating to interstate commerce.

We can not exercise police power in the States. There is no question about that. Very well. If we limit the law absolutely to products which are to go into interstate commerce, then there can be no question in my mind of our authority to inspect for that very purpose—that is, the purpose of determining what shall enter into interstate commerce. There is but one rule to guide us in matters of this kind. If it is a question simply of police control, then Congress has no power over it. If it is a question simply of commerce, then Congress has control over it so far as it is interstate commerce.

Many of the bees and calves and sheep and hogs which are to be inspected undoubtedly will be used in the State of Illinois or in the city of Chicago alone. Over those we could not attempt to exercise any control, provided the question was brought up where that right was questioned by the packers. So I hope the conferees will carefully look into that provision of the bill.

Mr. President, I received very shortly after this amendment passed the Senate telegrams from my State which indicated that they came, not as the first thought and first impulse of the shippers of my State, but came as the result of the im-

portunities of the great packing houses in the city of Chicago and elsewhere. The very fact that they were stereotyped in form indicated that very clearly. All of the first ones that came were in the form of a request that we ask the Secretary of Agriculture to publish the fact that the inspection both for domestic and foreign purposes was complete and thorough. I could not give an affirmative response to that request, for the reason that I was not certain that it had been thorough, and I simply submitted the question to the Secretary of Agriculture to determine whether or not it had been thorough. If it had not been, I was certain that he would not, for the benefit of the packers or for the benefit of the raisers of cattle, certify to anything not absolutely true.

Mr. President, I believe that the raisers of cattle in my State agree with me upon this one stand: They do not want the packers, even for their benefit, to sell over the country meats that are unfit. They do not wish to take advantage of any fraud that may be perpetrated by the packers throughout the country. They wish honest inspection, and they wish honest meats sold throughout the United States, and they want the same to go to foreign countries.

The second set of telegrams that have come here show also the stamp of the great packing houses. The Senator from Vermont has read some of them. Here is one:

We strongly urge your support for passage of meat bill requiring rigid inspection at Government expense.

So far as the first part of the telegram is concerned, I believe it represents the deliberate judgment of the raisers of cattle in my State. So far as the other portion is concerned, I do not believe it represents their candid and deliberate judgment, but that it comes, as I have stated, from the interests at Chicago. I believe in the first part of the telegram, because I think the cattle raisers, in common with the public throughout, demand and insist that this disgraceful operation, if I can follow what has been given in the reports, shall absolutely cease, and they do not wish to benefit by any fraudulent practices. The other portion, I say, does not, in my mind, represent their deliberate judgment, and therefore I wish to go into that subject for a little while.

Why should the raisers of cattle be so solicitous about saving the packers the sum, we will say, of \$3,000,000 a year, provided that is the sum necessary for proper inspection? What interest is it on their part to make the public pay for advertising for the packers in Chicago or anywhere else? Is this not an advertisement? What better advertisement can any corporation producing any commodity have than the stamp of the United States that it is pure and perfect? The moment we passed our other law upon meat inspection our meats, which had been challenged in every market in Europe, found a demand in every one of those markets, and the great wealth that has come to the packers of this country has come through the fact that they have had Government inspection on all the exports of meat. The Government stamp upon meat means the same as the Government stamp upon the silver dollar. It counts for what it says it is in every market of the world. It means that the goods with that stamp upon them will go into any market across the ocean and that they will be purchased upon what that stamp signifies.

The assumption is that the producer of stock or else the consumer will have to pay the inspection fee, if it is paid in the first place by the packer. Why? Because if the packer is compelled to pay \$3,000,000 a year for the purpose of inspection, it will necessarily follow, according to their argument, that the packer will make it up upon somebody, and he will probably make it up on the producer of the cattle or the consumer. He will make it up whether we vote for this provision or not. It makes no difference, because it is absolutely in the packer's power to determine what he will pay for stock at the stock yards. It is absolutely in his power to-day to determine what prices he will fix to the consumer for the meat consumed.

How has this become so? Thirty years ago I used to visit the stock yards in the city of Chicago. I used to observe the method of bidding. A man might have his stock in the yard for one or two or three days. The first bids might be light, but there was absolutely competition, and before he left he got practically what his property was worth. So, at that time, the small packer, with competition, had to go into the market and sell his meats as low as anyone else would sell them. Gradually this great demand on the part of the American people to get things cheaper, to produce things more economically, led to, first, two of these great concerns combining. That cut off just so much competition; and we found, as the years went by, every new combination cut off so much more of our competition, until finally the result was that one great combination cut off entirely all competition in the stock yards; and the man who

goes there to-day will find that if Armour makes a bid the Swift Company makes no bid, or at least will go no higher.

In the selling now the same rule applies. First one great corporation and then another went out of existence or was combined with the greater one, until this great octopus controls enough of the business so that it is necessary for the American public to go to it for its meats.

Now, what is the result? The result is simply this: There is but one commercial principle that governs in the buying of cattle and the selling of the meat products. What is it? It is this: If you place your purchasing price so low in the market in the purchase of an article as to make it absolutely impossible for the producer to produce it at any profit, you destroy the source of your supply. The other is, if you raise your price of meats so high that the public can not afford to buy them, but must take other things in the place of meat, you destroy the field of consumption. So the rule is this: Just give enough so that the farmer or stockman can live and sell his products; just hold your prices at such a figure that the public will be compelled to buy, without driving them into other lines of consumption. There is right where we are, and I say that is the condition which meets the stock raiser in our State, and the only remedy on earth that will remove this condition is to destroy in some way the great combination. We are going to injure, we are going to cripple it to a great extent in the enforcement of the new railway law or the enforcement of the old one, because the public now is getting in favor of that.

Now, on what principle are we to protect this industry? Is it an infant industry which needs the protection of the Government of the United States? That infant industry has grown so powerful that it holds the public by the throat to-day, and we are helpless in its great grasp. So, Mr. President, there is no occasion that I can see for our cattlemen to ask that the public, who are paying to-day 50 per cent more than they ought to for their meats, considering the prices at which cattle are being purchased, shall have this extra burden placed upon them. I have had a little experience in dealing with these great corporations and trusts.

The same thing is true in the great elevator trusts in our country. I remember possibly fifteen years ago when we were dissatisfied in our section of the country with the grades we were receiving at the terminals. The farmers got together. They built a good elevator and commenced buying grain. They gave better grades. They carried it on for less than a week when the old-line elevators raised the price 2 or 3 cents above what the farmers' elevator was paying. They still went on. The old-line elevators raised another 2 or 3 cents a bushel, and they held the prices there until the farmers' elevator was broken, because they could not do business at a loss. How did the old-line elevators recoup? They immediately went to those places where there was no competition whatever, in the other elevators along their line, and by dropping the price to the producer a half or three-quarters of a cent a bushel the trust made \$1 where they lost 1 cent in dealing with the farmers' elevator.

This is the condition of the public in reference to the great meat trust of the country. The trust can make up their loss. They have such complete control that they can go into the fields where there is little competition and by raising the purchasing prices a little they are able to drive out any small concern, unless it goes into the field with a capital practically as great as that of the combination itself.

Mr. President, we can not meet these conditions by simply buying off the great packing establishments of the country. We can not bribe them with a fee of \$3,000,000 a year to pay better prices to the producers of cattle; and I for one am not willing to go into the question of bribery, even to make our own people greater profits in the sale of their cattle. I do not believe they would get one cent better price for it.

Now, Mr. President, about the dates upon the cans. The canning industry is very ancient. I read a great number of years ago that in the excavations in the old country they had found in the ruins of Pompeii canned vegetables that were still in a state of preservation. I read only the other day in the press, and it was given out as authentic, that they had discovered the heart of Rameses II, some 4,000 years old, which had been carefully canned and pickled all of these years.

Yet, Mr. President, while it is possible to keep things in a certain condition for a number of years, we all know chemical changes are gradually taking place. The Senator from Vermont [Mr. Proctor] would recognize immediately the difference between an hermetically sealed can of maple sirup of a year ago and that of this spring. Although no air touches it, chemical changes bring about results which are to the detriment of it.

That is true of all canned goods. It is absolutely true of

meat, as well as any other character of goods. I have stood here year in and year out in favor of compelling the dealer in food products to deal honestly with the consumer and the public. I stand upon that same proposition to-day—to compel at least the year to be placed, and I think the month ought to be placed, upon every can of these products that go from the canneries. I gave here but a short time ago the fact of thousands upon thousands of cans of veal that were sold and marketed as spring chicken. If the mark of 1890 had been placed on the meat when it was canned, although it was veal, we never would have bought it for spring chicken at least.

What right have the packers to deceive the public with reference to the age of their meats? I do not know that they will gain anything by the provision, or that they will lose anything by it, because naturally they will ship out and sell the oldest and keep that out continually, but we will know whether we are buying meat that is 6 months old or 6 years old. If there has been no change in five years, we can just as well say that there will be no change in fifty years, but no sensible man will subscribe to that doctrine. If the meats are old and spoiled, or if they have undergone a chemical change, we who are using them ought to know it.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

RECESS.

Mr. NELSON. I desire to call the attention of the Senator from Illinois to the fact that it was agreed to-day, on motion and by unanimous consent, to take a recess at 6 o'clock.

The VICE-PRESIDENT. The motion was that the Senate should take a recess not later than 6 o'clock until 8 o'clock.

Mr. KEAN. It is now one minute of 6.

The VICE-PRESIDENT. The Senator's motion is in order.

Mr. CULLOM. If there will be no time to transact any business after we get into executive session, I will not make the motion.

The VICE-PRESIDENT. The Chair will be obliged to declare a recess at 6 o'clock.

Mr. BEVERIDGE. I desire to ask the Chair whether the agreement for to-night is simply for the purpose of considering the sundry civil appropriation bill?

The VICE-PRESIDENT. It is simply to consider the sundry civil appropriation bill.

Mr. WARREN. Only that bill?

The VICE-PRESIDENT. Only that bill. The hour of 6 o'clock having arrived, the Senate will take a recess until 8 o'clock this evening.

Mr. BEVERIDGE. Mr. President—

Mr. WARREN. I wish to say that I was cut off in my remarks this morning by the expiration of the morning hour. I assumed when the Senator from North Dakota rose that he wished to introduce telegrams in answer to some observations that I made just before I closed. It was a very interesting speech made by the Senator, and I am glad that he has used the time. I wish to say, however, that I will ask a little time to continue my remarks when this question comes up again. I think, one side having so far used the time, there should be a little evidence offered on the other side.

The Senate thereupon (at 6 o'clock p. m.) took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

SUNDY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 19844) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. PERKINS. In the temporary absence of the acting chairman of the committee, I ask that the formal reading of the bill be dispensed with, and that the amendments of the committee be considered as they are reached in the reading.

The VICE-PRESIDENT. The Senator from California asks that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered. Without objection it is so ordered. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was in the items "Under the Treasury Department," on page 2, after line 21, to insert:

Cheyenne, Wyo., public building: For completing approaches, subdividing and finishing the attic story, and increasing the business facilities of the building, \$15,000.

The amendment was agreed to.

The next amendment was, on page 9, line 1, to increase the appropriation for repairs and preservation of custom-houses, court-houses, and post-offices, marine hospitals and quarantine stations, buildings and wharf at Sitka, Alaska, etc., from \$420,000 to \$440,000.

The amendment was agreed to.

The next amendment was, on page 9, line 13, to increase the appropriation for heating, hoisting, plumbing, and ventilating apparatus, and repairs to the same, for all public buildings, including quarantine stations and marine hospitals, under the control of the Treasury Department, etc., from \$365,000 to \$390,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 13, to insert:

Buildings for the Departments of State, Justice, and Commerce and Labor: To enable the Secretary of the Treasury, in his discretion, to acquire, by purchase, condemnation, or otherwise, the whole of squares No. 226, 227, 228, 229, and 230, in the city of Washington, and toward the erection of one or two buildings thereon, \$3,000,000. That part of C street, Ohio avenue, D street, and E street lying between the squares named herein is hereby made a part of the site authorized by this act. That should the Secretary of the Treasury decide to institute condemnation proceedings in order to secure any or all of the land herein authorized to be acquired, such proceedings shall be in accordance with the provisions of the act of Congress approved August 30, 1890, providing a site for the enlargement of the Government Printing Office (U. S. Stat. L., vol. 26, ch. 837). That a commission, to be composed of the Secretary of State, the Secretary of the Treasury, the Attorney-General, the Secretary of Commerce and Labor, and the Superintendent of the Capitol Building and Grounds, which is hereby created, shall report to Congress preliminary plans and an estimate of cost for one or two buildings to be erected on said site, for the use of the Departments of State, Justice, and Commerce and Labor, and for other governmental purposes, said preliminary plans and estimate of cost to be paid for out of the appropriation herein made.

The amendment was agreed to.

The next amendment was, under the subhead of "Revenue-Cutter Service," on page 15, line 9, after the word "surgeons," to insert "two civilian instructors, one at \$1,800 and one at \$1,500;" so as to read:

For expenses of the Revenue-Cutter Service: For pay and allowances of captains, lieutenants, engineer in chief, chief engineers, assistant engineers, and constructor, Revenue-Cutter Service, cadets, commissioned surgeon; two contract surgeons, two civilian instructors, one at \$1,800, and one at \$1,500, and pilots employed, and rations for the same, etc.

The amendment was agreed to.

The next amendment was, on page 18, line 3, after the word "dollars," to insert: "and the Secretary of the Treasury is hereby authorized to enter into a contract or contracts for such construction at a cost not to exceed \$250,000, the limit fixed by said act;" so as to make the clause read:

Toward the construction of a steam vessel specially fitted for and adapted to service at sea in bad weather, for the purpose of blowing up or otherwise destroying or towing into port wrecks, derelicts, and other floating dangers to navigation, said vessel to be operated and maintained by the Revenue-Cutter Service under such regulations as the Secretary of the Treasury may prescribe, as authorized by the act of Congress approved May 12, 1906, to be immediately available, \$100,000; and the Secretary of the Treasury is hereby authorized to enter into a contract or contracts for such construction at a cost not to exceed \$250,000, the limit fixed by said act.

The amendment was agreed to.

The next amendment was, under the subhead of "Interstate Commerce Commission," on page 23, line 1, after the word "to," to strike out "properly carry out the objects of" and insert "give effect to;" so as to read:

For all other necessary expenditures, to enable the Commission to give effect to the act to regulate commerce, and all acts and amendments supplementary thereto, including the joint resolution "Instructing the Interstate Commerce Commission to make examinations into the subject of railroad discriminations and monopolies in coal and oil, and report on the same from time to time," approved March 7, 1906, etc.

The amendment was agreed to.

The next amendment was, under the subhead of "Miscellaneous objects, Treasury Department," on page 25, line 22, before the word "silver," to strike out "fractional;" so as to read:

Transportation of silver coin: For transportation of silver coin, including fractional silver coin by registered mail or otherwise, etc.

The amendment was agreed to.

The next amendment was, on page 27, line 2, before the word "counters," to strike out "three" and insert "four;" and in the same line, after the word "watchmen," to strike out "one laborer" and insert "two laborers;" so as to make the clause read:

Distinctive paper for United States securities: For distinctive paper for United States securities, including expenses of transportation, salaries of register, assistant register, four counters, five watchmen, two laborers, and of officer detailed from the Treasury as superintendent, \$308,900.

The amendment was agreed to.

The next amendment was, on page 28, after line 19, to insert:

General inspector of supplies for public buildings: For one general inspector, under the direction of the Secretary of the Treasury, to be appointed by the President, by and with the advice and consent of the

Senate, \$3,000; and for actual necessary expenses, not exceeding \$2,000; in all, \$5,000.

The amendment was agreed to.

The next amendment was, on page 30, line 15, to increase the appropriation for the purchase of fuel, steam, light, and water for public buildings from \$1,200,000 to \$1,240,000.

The amendment was agreed to.

The next amendment was, on page 32, line 23, to reduce the appropriation for pay, allowances, and commutation of quarters for commissioned medical officers and pharmacists in the Public Health and Marine-Hospital Service from \$375,000 to \$350,000.

The amendment was agreed to.

The next amendment was, on page 33, line 2, to increase the appropriation for pay of all other employees in the Public Health and Marine-Hospital Service from \$250,000 to \$275,000.

The amendment was agreed to.

The next amendment was, on page 36, line 6, after the date "1907," to insert "And the Secretary of the Treasury is hereby authorized and directed to expend, from the appropriation of \$100,000 provided for in section 5 of said act, such an amount as may be necessary to construct a road from the hospital station at Kalawao to the landing site at Waikolu, Molokai; and he is further authorized to construct a landing stage on the landing site at Waikolu, including the necessary appliances for landing supplies;" so as to make the clause read:

Leprosy hospital, Hawaii: The unexpended balance of the \$50,000 appropriated by the act of March 3, 1905, for maintenance of the leprosy hospital, Hawaii, for the fiscal year 1906, is hereby reappropriated and made available for the same objects for the fiscal year 1907. And the Secretary of the Treasury is hereby authorized and directed to expend, etc.

The amendment was agreed to.

The next amendment was, under the subhead "Light-houses, beacons, and fog signals," on page 37, after line 8, to insert:

Stonington Breakwater, Connecticut: For erection of a suitable dwelling for the keeper of the light station at Stonington Breakwater, Connecticut, \$6,000.

The amendment was agreed to.

The next amendment was, on page 37, after line 11, to insert:

For the following, damaged or destroyed by the earthquake in California, namely:

Cape Mendocino light station, California: For rebuilding of keeper's dwelling, \$5,400.

Point Arena light station, California: For rebuilding of light station, \$98,900.

Southampton Shoal light station, California: For extraordinary repairs, \$17,640.

Bonita Point light station, California: For rebuilding of double dwelling for assistant light keepers, \$6,000.

Point Pinos light station, California: For rebuilding of light station, \$19,500.

The amendment was agreed to.

The next amendment was, on page 38, after line 2, to insert:

For the following, authorized by the act to authorize additional aids to navigation in the Light-House Establishment, approved June —, 1906, namely:

Nantucket Shoals, Massachusetts: for a light vessel to be placed off Nantucket Shoals, Massachusetts, \$115,000.

Ambrose channel, New York Bay: For a light vessel for the sea entrance of the channel, \$115,000.

For a light-house on Staten Island, New York, and raising West Bank light, \$100,000.

For two lens lanterns and structures for range on the bend, \$12,000.

For moving North Hook beacon light, \$6,000.

For a tank light vessel, \$15,000.

For a stone beacon with gas illuminant on Craven Shoal, \$20,000.

For thirteen gas buoys in Ambrose channel and eleven gas buoys in the Gedney and Main Ship channel, \$43,200.

For temporary structure to maintain West Bank light while light is being raised and temporary structure for North Hook beacon light while it is being moved, \$10,000.

Harbor of refuge, Delaware Bay: For additional amount for establishing a light and fog-signal station on the new breakwater, harbor of refuge, Delaware Bay, \$20,000.

Pungoteague Creek, Virginia: For a light station at Pungoteague Creek, Virginia, \$8,000.

Light vessel, Brunswick, Ga.: For additional amount for light vessel to be placed off the outer bar of Brunswick, Ga., \$25,000.

Southwest Pass light station, Louisiana: For dwellings for three light-house keepers at Southwest Pass light station, Louisiana, \$12,000.

Harbor of refuge, Milwaukee, Wis.: For a light and fog-signal station on the south end of the breakwater, harbor of refuge, Milwaukee, Wis., \$100,000.

Niagara River, New York: For four range lights, Strawberry Island Cut and channel leading thereto, Niagara River, New York, \$13,000.

Isle aux Peches, Michigan: For two range lights, Isle aux Peches, Lake St. Clair, Michigan, \$18,000.

Rock of Ages, Lake Superior: For a light and fog-signal station on Rock of Ages, Lake Superior, \$100,000.

Makapuu Point, Oahu, Hawaii: For a light station at Makapuu Point, at the Island of Oahu, Territory of Hawaii, \$60,000.

Humboldt Bay, California: For a fog signal at the entrance to the harbor at Humboldt Bay, California, \$15,000.

Twelfth light-house district: For a steam tender for the use of the light-house engineer of the twelfth light-house district, \$150,000.

Columbia River, Oregon: For a light vessel for use off the mouth of the Columbia River, Oregon, \$130,000.

Swiftsure Bank: For a steel steam light vessel, equipped with the latest improved light and fog signals, to be anchored upon Swiftsure

Bank, off the entrance to Juan de Fuca Strait, at a point at or near 13 miles north, 74° west, magnetic, from Cape Flattery, Washington, \$150,000.

Mr. MALLORY. I should like to ask the acting chairman whether these new lights and light vessels have been passed on by the Committee on Commerce, commencing at Nantucket Shoals, Massachusetts, page 38?

Mr. HALE. What is the inquiry?

Mr. MALLORY. I should like to inquire if the light-ship on Nantucket Shoals, light vessel at Ambrose channel, light-house on Staten Island, two-lens lanterns and structures for range on the bend there, and so on, have been before the Committee on Commerce?

Mr. HALE. They have all been approved by the committee.

Mr. MALLORY. All have been approved by the Committee on Commerce?

Mr. HALE. Every one of them.

The amendment was agreed to.

Mr. PERKINS. By permission of the acting chairman, I wish to present a committee amendment. I will state that it was authorized in House bill 19432, and is now a law.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 40, after the amendment just agreed to, after line 21, insert:

A light and fog-signal station, Hinchinbrook, Hinchinbrook Island, Prince William Sound, Alaska, at a cost not to exceed \$125,000.

Mr. NELSON. The amendment should read:

A light and fog-signal station, Hinchinbrook Entrance, Prince William Sound, Alaska, at a cost not to exceed \$125,000.

Mr. PERKINS. Let the amendment be so modified.

The VICE-PRESIDENT. The question is on agreeing to the amendment as so modified.

The amendment as modified was agreed to.

The reading was resumed. The next amendment was, under the subhead "Light-House Establishment," on page 41, line 10, to increase the appropriation for the supplies of light-houses from \$525,000 to \$560,000.

The amendment was agreed to.

The next amendment was, on page 41, line 24, to increase the appropriation for repairs of light-houses from \$740,000 to \$800,000.

The amendment was agreed to.

The next amendment was, on page 42, line 13, to increase the appropriation for expenses of light vessels from \$600,000 to \$625,000.

The amendment was agreed to.

The next amendment was, on page 42, line 20, to increase the appropriation for expenses of buoyage from \$550,000 to \$600,000.

The amendment was agreed to.

The next amendment was, on page 43, line 5, to increase the appropriation for expenses of fog signals from \$210,000 to \$225,000.

The amendment was agreed to.

The next amendment was, under the head of "Coast and Geodetic Survey," on page 46, line 23, before the word "thousand," to strike out "seventy" and insert "eighty-five;" and in the same line, after the word "dollars," to insert the following additional proviso:

Provided further, That not more than \$15,000 of this amount may be expended in carrying out the provisions of public act No. 181, approved May 25, 1906.

So as to make the clause read:

For field expenses: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States: *Provided*, That not more than \$25,000 of this amount shall be expended on the coasts of the before-mentioned outlying islands, \$85,000: *Provided further*, That not more than \$15,000 of this amount may be expended, etc.

Mr. HALE. There is a matter of date there. It should be May 26 instead of May 25.

The SECRETARY. In the proposed amendment, line 1, page 47, after the word "May," strike out "twenty-fifth" and insert "twenty-sixth."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 48, after line 9, to insert:

For any special surveys that may be required by the Light-House Board or other proper authority, and contingent expenses incident thereto, to be immediately available and to continue available until expended, \$12,000.

The amendment was agreed to.

The next amendment was, on page 49, line 5, to increase the total appropriation for field expenses, Coast and Geodetic Survey, from \$252,900 to \$279,900.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Fisheries," on page 54, line 18, before the word "hundred," to

strike out "one thousand eight" and insert "two thousand one;" in line 20, after the word "dollars," to insert "property clerk, \$1,600;" on page 55, line 6, before the word "hundred," to strike out "thirty-three thousand six" and insert "thirty-five thousand five;" so as to make the clause read:

Office of Commissioner: For Commissioner, \$5,000; deputy commissioner, \$3,000; chief clerk, \$2,400; accountant, \$2,100; stenographer to Commissioner, \$1,600; property clerk, \$1,600; librarian, \$1,200; one clerk of class 4, two clerks of class 3, clerk to Commissioner, \$1,600; one clerk of class 1; one clerk, \$1,000; two clerks, at \$900 each; engineer, \$1,080; three firemen, at \$600 each; two watchmen, at \$720 each; five janitors and messengers, at \$600 each; janitress, \$480; messenger, \$240; in all, \$35,540.

The amendment was agreed to.

The next amendment was, on page 55, line 8, after the word "dollars," to insert "assistant architect, \$1,600;" in line 10, after the word "dollars," to insert "draftsman, \$900;" and in line 12, before the word "hundred," to strike out "four thousand one" and insert "six thousand six;" so as to make the clause read:

Office of architect and engineer: Architect and engineer, \$2,200; assistant architect, \$1,600; draftsman, \$1,200; draftsman, \$900; clerk, \$720; in all, \$6,620.

The amendment was agreed to.

The next amendment was, on page 64, line 19, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

Propagation of food-fishes: For maintenance, equipment, and operations of the fish-cultural stations of the Bureau, the general propagation of food-fishes and their distribution, including the movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, and temporary labor, \$260,000.

The amendment was agreed to.

The next amendment was, on page 64, line 25, before the word "thousand," to strike out "fifty-two" and insert "fifty-five;" so as to make the clause read:

Maintenance of vessels: For maintenance of the vessels and launches, including the purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, and all other necessary expenses in connection therewith, \$55,000.

The amendment was agreed to.

The next amendment was, under the head of "Under the Department of the Interior," on page 70, after line 9, to insert:

For equipping the Senate post-office with steel counter, letter boxes, and cabinets, and for metal furniture, \$3,000.

The amendment was agreed to.

The next amendment was, on page 70, after line 12, to insert:

Toward the construction of the fireproof building for committee rooms and offices for the United States Senate provided for in the sundry civil act approved April 28, 1904, including not exceeding \$500 for the purchase of necessary technical and other books, \$950,000.

The amendment was agreed to.

The next amendment was, under the subhead "Surveying the public lands," on page 78, line 2, after the word "surveys," to insert "office examination of surveying returns;" and in line 6, after the words "United States," to insert:

Authority is hereby given for the survey of townships 28 north, ranges 37 and 38 east; 27 north, ranges 38, 39, and 40 east; 29 north, range 40 east, and fractional range 41 east; 26 north, ranges 38, 39, and 40 east, and 30 north, range 40 east, and fractional range 41 east, Valley County, Mont.; also for the survey of the unsurveyed townships lying between the Big Muddy River in Valley County, Mont., and the Dakota line; and the regulations governing public surveys requiring settlers' applications and their examination in the field are hereby waived.

So as to read:

And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation, not exceeding \$6 per day, except in the district of Alaska, where a compensation not exceeding \$10 per day may be allowed one such surveyor and such per diem allowance, in lieu of subsistence, not exceeding \$3, while engaged in field examinations, as he may prescribe, said per diem allowance to be also made to such clerks who are competent surveyors who may be detailed to make field examinations, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal fields, and timber districts, and for making by such competent surveyors fragmentary surveys, office examination of surveying returns, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States. Authority is hereby given for the survey of townships 28 north, ranges 37 and 38 east; 27 north, ranges 38, 39, and 40 east; 29 north, range 40 east, and fractional range 41 east; 26 north, ranges 38, 39, and 40 east, and 30 north, range 40 east, and fractional range 41 east, Valley County, Mont.; also for the survey of the unsurveyed townships lying between the Big Muddy River in Valley County, Mont., and the Dakota line; and the regulations governing public surveys requiring settlers' applications and their examination in the field are hereby waived.

The amendment was agreed to.

The next amendment was, under the subhead "United States

Geological Survey," on page 82, line 1, after the word "United States," to insert "gauging streams, and determining the water supply;" so as to read:

For general expenses of the Geological Survey: For the Geological Survey and the classification of the public lands and examination of the geological structure, mineral resources, and the products of the national domain, to continue the preparation of a geological map of the United States, gauging streams, and determining the water supply, and for surveying forest reserves, including the pay of necessary clerical and scientific force and other employees in the field and in the office at Washington, D. C., etc.

The amendment was agreed to.

The next amendment was, on page 83, line 3, to increase the appropriation for the preparation of the report of the mineral resources of the United States, etc., from \$50,000 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 17, to insert:

For gauging the streams and determining the water supply of the United States, and for the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$200,000.

The amendment was agreed to.

The next amendment was, on page 83, line 23, before the word "investigation," to strike out "continuation of the;" and in line 24, after the word "to," to insert "and for the use of;" so as to make the clause read:

For the investigation of the structural materials belonging to and for the use of the United States such as stone, clays, cements, etc., under the supervision of the Director of the United States Geological Survey, to be immediately available, \$100,000.

The amendment was agreed to.

The next amendment was, on page 84, line 8, after the word "dollars," to insert the following provisos:

Provided, That in examinations, hereby authorized, of fuel materials for the use of the Government of the United States, or for the purpose of increasing the general efficiency or available supply of the fuel resources in the United States, the Director of the Geological Survey may have the necessary materials collected from any part of the United States where they represent extensive deposits; and it shall be the duty of the Director of the Geological Survey to have examined, without charge, the fuels required for use by the Government of the United States, and to give these examinations preference over other work: *Provided further*, That in publishing the results of these investigations the materials examined shall not be credited to any private party or corporation, but shall be collected and described as representing such extensive deposits.

The amendment was agreed to.

The next amendment was, on page 85, line 1, to increase the appropriation for continuation of the survey of the public lands that have been or may hereafter be designated as forest reserves from \$100,000 to \$125,000.

The amendment was agreed to.

The next amendment was, on page 85, line 14, to increase the total appropriation for the maintenance of the United States Geological Survey from \$1,138,320 to \$1,538,320.

The amendment was agreed to.

The next amendment was, on page 86, line 12, after the word "while," to insert "he has been and shall be;" so as to make the clause read:

The Secretary of the Interior may, in his discretion, authorize payment to the chief disbursing clerk of the United States Geological Survey from the reclamation fund, while he has been and shall be acting as disbursing officer of said fund, of a sum not exceeding \$500 per annum, in addition to the compensation now received by that officer, in consideration of the additional duties devolving upon him in connection with the Reclamation Service.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous objects, Department of the Interior," on page 88, after line 5, to insert:

Ruin of Casa Grande, Arizona: For protection of Casa Grande Ruin, in Pinal County, near Florence, Ariz., and for excavation on the reservation, to be expended under the supervision of the Secretary of the Interior, \$3,000.

The amendment was agreed to.

The next amendment was, on page 88, line 21, after the word "Eskimos," to insert "Aleuts," so as to read:

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska, etc.

The amendment was agreed to.

The next amendment was, on page 89, after line 10, to insert:

To enable the Secretary of the Interior to return twenty-two pupils heretofore in the United States Indian school, Carlisle, Pa., to their respective homes in Alaska, \$3,705, or as much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 89, after line 15, to insert:

Removal of Lemhi Indians to Fort Hall Reservation, Idaho: The sum of \$5,000 appropriated by the act of February 23, 1889, for the removal of the Lemhi Indians to the Fort Hall Reservation, which amount was carried to the surplus fund of the Treasury on June 29,

1895, is hereby reappropriated and made available for said removal during the fiscal year 1907.

The amendment was agreed to.

The next amendment was, on page 90, line 4, before the word "thousand," to strike out "nine" and insert "fifteen;" and in the same line, after the word "dollars," to insert "of which \$5,000, or as much thereof as may be necessary, may be used by the Secretary of the Interior at his discretion in placing a herd of not exceeding 300 reindeer on the island of Unalaska;" so as to make the clause read:

Reindeer for Alaska: For the support of reindeer stations in Alaska, and for the instruction of Alaskan natives in the care and management of the reindeer, \$15,000, of which \$5,000, or as much thereof as may be necessary, may be used by the Secretary of the Interior at his discretion in placing a herd of not exceeding 300 reindeer on the island of Unalaska; and all reindeer owned by the United States in Alaska shall as soon as practicable be turned over to the missions in Alaska, to be held and used by them under such conditions as the Secretary of the Interior shall prescribe.

The amendment was agreed to.

The next amendment was, on page 93, line 2, to increase the appropriation for repairs to buildings of the Columbia Institution for the Deaf and Dumb from \$4,000 to \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Under the War Department," on page 102, after line 9, to insert:

For the traveling expenses of the President of the United States, his attendants and invited guests traveling with him, to be disbursed at the discretion of the President, \$25,000.

Mr. McLAURIN. Mr. President, has this amendment been considered by any committee? Is not this new legislation? Is there any law which authorizes the payment of the traveling expenses of the President?

Mr. HALE. The amendment was submitted to the Committee on Appropriations, considered by that committee, and reported as a part of the bill.

Mr. McLAURIN. I make the point of order that it is new legislation upon an appropriation bill, and that it ought not to be inserted here. There is no law authorizing the paying of the traveling expenses of the President of the United States, and I do not think that under the rules an appropriation of this kind can be made. It is an appropriation without being authorized by any law.

Mr. HALE. The committee reported the amendment on the ground that it is not legislation, but simply conforming to the provisions of the interstate-commerce rate bill and providing for the necessary traveling expenses of the President. It is only incidental. So it is not subject to the point of order.

Mr. McLAURIN. Mr. President, there is no law authorizing the payment of the traveling expenses of the President of the United States, and this amendment is open to objection because it is a new law upon an appropriation bill.

The VICE-PRESIDENT. The Chair will state that the debate which is now proceeding is out of order. The Chair is prepared to rule on the point of order.

Mr. HALE. Let us have the ruling of the Chair.

The VICE-PRESIDENT. The Chair is of the opinion that the point of order is not well taken, and he overrules the point of order.

Mr. McLAURIN. I appeal to the Senate from that decision, Mr. President, and I should like to have the yeas and nays on the appeal.

Mr. HALE. If the Senator does that, the bill goes over, of course.

Mr. CLAY. Of course, the consideration of the bill can not proceed any further if the Senator insists on calling the roll.

Mr. McLAURIN. Mr. President, in my judgment, this is such an outrageous appropriation that I do not think, under any circumstances, it ought to go into this bill.

Mr. HALE. Let the item be passed for the present, Mr. President.

Mr. McLAURIN. That is all very well, then. I am willing to do that.

The VICE-PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 102, line 20, to increase the appropriation for lighting the Executive Mansion and public grounds from \$18,800 to \$20,000.

The amendment was agreed to.

The next amendment was, on page 102, line 22, before the word "dollars," to strike out "fifteen" and insert "twenty;" so as to make the proviso read:

Provided, That for each 5-foot burner not connected with a meter in the lamps on the public grounds not more than \$20 shall be paid per lamp for gas, including lighting, cleaning, and keeping the lamps in repair, under any expenditure provided for in this act; and said lamps

shall burn every night, on the average from fifteen minutes after sunset to forty-five minutes before sunrise; and authority is hereby given to substitute other illuminating material for the same or less price, and to use so much of the sum hereby appropriated as may be necessary for that purpose.

The amendment was agreed to.

The next amendment was, on page 103, line 7, before the word "hundred," to strike out "three thousand six" and insert "four thousand two;" in line 11, before the word "dollars," to strike out "four thousand eight hundred" and insert "six thousand;" and in line 15, before the word "dollars," to strike out "twenty" and insert "twenty-five;" so as to make the provisos read:

Provided further, That \$4,200 of the foregoing sum shall be paid from the revenues of the District of Columbia and the remainder from the Treasury of the United States: And provided further, That not more than \$6,000 of said appropriation may be expended for lighting, extinguishing, cleaning, repairing, and painting park lamps of a higher candlepower than those provided for above and not less than 60 candlepower, which lamps shall cost not to exceed \$25 per lamp per annum and shall otherwise be subject to the restrictions of this paragraph.

The amendment was agreed to.

The next amendment was, on page 103, line 20, before the word "dollars," to strike out "eighty" and insert "eighty-five;" and in line 23, before the word "dollars," to strike out "four hundred and eighty" and insert "five hundred and ten;" so as to make the clause read:

For lighting six arc electric lights in Executive Mansion grounds within the iron fence, at not exceeding \$85 per light per annum, which shall cover the entire cost to the United States of lighting and maintaining in good order each electric light in said grounds, \$510.

The amendment was agreed to.

The next amendment was, on page 103, line 25, before the word "dollars," to strike out "eighty" and insert "eighty-five;" and on page 104, line 3, before the word "dollars," to strike out "four hundred and eighty" and insert "five hundred and ten;" so as to make the clause read:

For lighting six arc electric lights at the propagating gardens, at not exceeding \$85 per light per annum, which sum shall cover the entire cost of lighting and maintaining in good order each of said arc electric lights, \$510.

The amendment was agreed to.

The next amendment was, on page 104, line 9, before the word "dollars," to strike out "eighty" and insert "eighty-five;" and in line 12, before the word "dollars," to strike out "two hundred and forty" and insert "five hundred and five;" so as to make the clause read:

For lighting arc electric lights in public grounds as follows: For seven in grounds south of the Executive Mansion, thirty-two in Lafayette, Franklin, Judiciary, and Lincoln parks, and fourteen in grounds south of Executive Mansion and in Monument Park, at not exceeding \$85 per light per annum, which sum shall cover the entire cost of lighting and maintaining in good order each of said arc electric lights; in all, \$4,505, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 104, line 16, before the word "dollars," to strike out "eighty" and insert "eighty-five;" and in line 22, before the word "dollars," to strike out "one hundred and sixty" and insert "two hundred and ninety-five;" so as to make the clause read:

For lighting twenty-seven arc lights in Potomac Park driveway, at not exceeding \$85 per light per annum, which sum shall cover the entire cost of installing, lighting, and maintaining in good order each electric light on said driveway, and authority for laying single-duct conduits through public grounds and making connections for said lights is hereby granted, \$2,295, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 106, after line 3, to insert:

Grant memorial: For continuing work for the erection of the memorial to Gen. Ulysses S. Grant, \$40,000: Provided, That the memorial may be located in the unoccupied portion of the Botanic Garden grounds between First and Second streets NW., as recommended by the Grant Memorial Commission: Provided further, That such portion of the funds heretofore appropriated for said memorial and now available may be used in constructing extra foundation for the memorial if the character of the soil on the site selected shows such extra foundation to be necessary.

The amendment was agreed to.

The next amendment was, on page 106, after line 14, to insert:

Statue of Gen. George B. McClelland: For expenses attending the unravelling of the statue of Gen. George B. McClelland, \$2,500.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous objects, War Department," on page 123, line 10, to increase the appropriation for the construction and enlargement of buildings at military posts from \$750,000 to \$900,000.

The amendment was agreed to.

The next amendment was, on page 125, line 4, after the word "cents," to insert the following proviso:

Provided, That appropriations heretofore made by the act of April 28, 1904, for Fort Crockett Reservation, Galveston, Tex., for construction of a sea-wall embankment and fill in front of said property, and the appropriation herein authorized shall be available for embankment and fill and other improvements on both the Fort Crockett Reservation and the land lying between Thirty-ninth and Forty-fifth streets, in the city of Galveston, Tex., that has been conveyed to the United States.

The amendment was agreed to.

The next amendment was, on page 130, after line 16, to insert:

Support and medical treatment of destitute patients: For the support and medical treatment of ninety-five medical and surgical patients who are destitute, in the city of Washington, under a contract to be made with the Providence Hospital by the Surgeon-General of the Army, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States, \$19,000.

The amendment was agreed to.

The next amendment was, on page 130, after line 24, to insert:

Garfield Memorial Hospital: For maintenance to enable it to provide medical and surgical treatment to persons unable to pay therefor, under a contract to be made with the board of charities of the District of Columbia, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States, \$19,000.

The amendment was agreed to.

The next amendment was, on page 139, after line 18, to insert:

For shop building, \$15,000.

The amendment was agreed to.

The next amendment was, on page 139, line 22, to increase the total appropriation for current expenses of the Pacific Branch, National Home for Disabled Volunteer Soldiers, at Santa Monica, Cal., from \$353,200 to \$368,200.

The amendment was agreed to.

The next amendment was, on page 144, line 6, to increase the total appropriation for the maintenance of the National Homes for Disabled Volunteer Soldiers from \$4,202,944 to \$4,217,944.

The amendment was agreed to.

The next amendment was, under the head of "Under the Department of Justice," on page 151, after line 24, to insert:

Counsel for Mission Indians: To enable the Attorney-General to employ a special attorney for the Mission Indians of southern California, upon the recommendation of the Secretary of the Interior, \$1,000.

The amendment was agreed to.

The next amendment was, on page 152, line 9, after the word "elsewhere," to insert "to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the act of March 2, 1901, providing for the Spanish Treaty Claims Commission, as are in conflict herewith notwithstanding;" so as to make the clause read:

Defense of suits before Spanish Treaty Claims Commission: For salaries and expenses in defense of claims before the Spanish Treaty Claims Commission, including salaries of Assistant Attorney-General in charge as fixed by law, and of assistant attorneys and necessary employees in Washington, D. C., or elsewhere, to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the act of March 2, 1901, providing for the Spanish Treaty Claims Commission, as are in conflict herewith notwithstanding, \$92,000.

The amendment was agreed to.

The next amendment was, on page 153, after line 12, to strike out:

To systematize the preparation of law indexes, etc., and to provide trained law clerks therefor: To enable the Librarian of Congress to direct the Law Librarian to prepare a new index to the Statutes at Large; in accordance with a plan previously approved by the Judiciary Committees of both houses of Congress, and to prepare such other indexes, digests, and compilations of law as may be required for Congress and other official use, \$5,840 to pay for five additional assistants in the Law Library: One at \$1,800, one at \$1,200, one at \$900 and two at \$720 each, and for the Law Librarian \$500, the said sum to be paid to the Law Librarian, notwithstanding section 1765 of the Revised Statutes.

Mr. SPOONER. I ask that that amendment be passed over.

Mr. KEAN. What amendment is it?

Mr. SPOONER. The amendment on page 153, beginning in line 13, relative to the preparation of law indexes, etc.

The VICE-PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Judicial," on page 154, line 21, after the word "otherwise," to insert:

And the annual salaries of the United States marshals for the district of Idaho and the southern district of California are hereby fixed at \$4,000, respectively.

The amendment was agreed to.

The next amendment was, on page 155, line 10, after the word "dollars," to insert:

And the annual salaries of the United States district attorneys for the district of Idaho and the southern district of California are hereby fixed at \$4,000, respectively.

The amendment was agreed to.

The reading of the bill was continued to the end of line 9, on page 156.

Mr. HALE. On page 156, I move to strike out the proviso beginning in line 4 and extending to line 9, in order to put it in conference.

The VICE-PRESIDENT. The Senator from Maine proposes an amendment, which will be stated.

The SECRETARY. On page 156, in line 4, after the words "Revised Statutes," it is proposed to strike out the proviso as follows:

And provided further, That section 2 of the act of June 30, 1902, being chapter 1335 as found in Statutes at Large of the United States, volume 32, part 1, page 549, shall be, and the same is hereby, repealed.

Mr. PENROSE. I sincerely hope the Senate conferees will support this amendment. The effect of the provision of the House would be to transfer the custody of the United States records from Scranton to Harrisburg. Scranton is much the larger place; it is the residence of the judge, and it is the proper place to continue as the place of custody for those records.

Mr. HALE. The Senate conferees always support the amendments of the Senate.

Mr. PENROSE. Yes.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Maine [Mr. HALE]. The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 12, on page 156.

Mr. KEAN. May I ask a question with respect to the item on page 156, line 10?

For fees of United States district attorney for the District of Columbia, \$23,800.

Does that mean that the district attorney for the District of Columbia gets \$23,000?

Mr. HALE. Oh, no. That matter was all thrashed out in the House. It includes all the expenses of his office.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 157, after the word "dollars," in line 1, to insert the following proviso:

Provided, That the Attorney-General shall hereafter, under rules and regulations prescribed by him, require the clerks of the United States circuit and district courts, clerks of the Territorial courts, clerks of the United States courts for the Indian Territory, and the clerks of the United States courts in Alaska to report and account for all moneys received by them on account of or as security for fees and costs, and to report and account for all amounts collected or received by them on behalf of the United States on account of judgments, fines, forfeitures, penalties, and costs. The Attorney-General shall also hereafter require such clerks to report and account for any other moneys received by them in their official capacity, whether on behalf of the United States or otherwise, and the Attorney-General shall hereafter prescribe such docket or dockets or other books as he may deem proper to be kept and used by such clerks in recording, reporting, and accounting for moneys mentioned above in this paragraph, and in recording all fees and emoluments earned by them, which dockets or other books shall be kept and used by said clerks in accordance with rules and regulations prescribed by the Attorney-General.

The amendment was agreed to.

The next amendment was, on page 158, line 9, after the word "act," to insert "of March 3, 1901, and of joint resolution of March 3, 1905;" so as to read:

On and after December 15, 1906, no sums of money shall be payable under and by virtue of the act of Congress of June 4, 1897, providing for the revision and codification of the criminal and penal laws of the United States and the subsequent acts of Congress of March 3, 1899, and March 3, 1901, enlarging the duties of the commissioners appointed under said act, but the said commission so created shall, on or before said December 15, 1906, complete the duties imposed upon them thereby and shall present their final report thereon to the Attorney-General in accordance with the provisions of said act of March 3, 1901, and of joint resolution of March 3, 1905, before said date, etc.

Mr. HALE. On page 158, line 8, I move to strike out the words "Attorney-General" and insert "Congress;" so as to read:

And shall present their final report thereon to the Congress in accordance with the provisions, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed, and continued to the end of line 13, on page 160.

Mr. HALE. I offer the amendment I send to the desk, which by inadvertence was not printed in the bill.

The VICE-PRESIDENT. The Senator from Maine proposes an amendment, which will be stated by the Secretary.

The SECRETARY. On page 160, after line 13, it is proposed to insert:

For compensation and expenses of a special master, to be appointed by the United States district judge presiding in the United States circuit court for the ninth circuit, in the western district of Washington, to take testimony in the case of United States against George Edward Adams, on such notice to the defendant or his counsel as the court may prescribe, and to find therefrom the extent and amount of the embezzlement of gold dust from the United States assay office at Seattle, Wash., and the names of depositors to whom said gold dust belonged, together with the amount and value of gold dust so embezzled belonging to each such depositor, such special master to have the full powers and status of a master in chancery, and the provisions of sections 5392 and 5393 of the Revised Statutes of the United States to apply to all proceedings had before him, the findings of said special master to be final and binding upon the depositors whose gold dust shall be found to have been embezzled, and upon the United States in so far as concerns the matter of settlement with said depositors, a sum not exceeding \$12,000: *Provided*, That nothing herein contained shall be construed as admitting or implying any liability on the part of the United States for gold dust embezzled by said Adams.

Mr. CULBERSON. I will ask the Senator in charge of the bill if this amendment is the one reported favorably by the Committee on the Judiciary?

Mr. HALE. Yes; it is the same amendment. It was left out by inadvertence.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 164, line 15, to increase the appropriation for subsistence, including supplies for prisoners, warden, deputy warden, etc., at the United States penitentiary at Atlanta, Ga., from \$30,000 to \$33,500.

The amendment was agreed to.

The next amendment was, on page 164, line 23, to increase the appropriation for clothing and transportation, including such clothing as can be made at the penitentiary, etc., at the United States penitentiary at Atlanta, Ga., from \$15,000 to \$17,500.

The amendment was agreed to.

The next amendment was, on page 167, line 1, to increase the total appropriation for the maintenance of the United States penitentiary at Atlanta, Ga., from \$126,220 to \$132,220.

The amendment was agreed to.

The next amendment was, on page 168, after line 6, to insert:

DEPARTMENT OF STATE.

For the purchase of land and the entire contribution of the United States toward the erection of a building to be used as permanent quarters in the city of Washington by the International Bureau of the American Republics and the Columbus Memorial Library, \$200,000, to be expended upon the order of the Secretary of State.

Mr. CLAY. I should like to have the attention of the Senator from Maine to this item:

For the purchase of land and the entire contribution of the United States toward the erection of a building to be used as permanent quarters in the city of Washington by the International Bureau of the American Republics.

I will ask the Senator whether the Government has been furnishing quarters for the Bureau of American Republics.

Mr. HALE. Yes; the United States furnishes rented buildings, but this is a proposition to have a larger building which will accommodate all the American Republics in the business that they have here, with an auditorium, and it was considered by the State Department as being a very essential thing. The committee considered it. This building, when completed, will take the place of the rented quarters that are now furnished.

Mr. CULLOM. Will the Senator from Maine allow me to make a brief statement?

Mr. HALE. Certainly.

Mr. CULLOM. I understand from the Secretary of State also that one of the South American Republics has already paid in a considerable sum of money for the purpose of the erection of this building. It has been in the Treasury now for some time.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Committee on Appropriations.

The amendment to the amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Under legislative," on page 169, after line 5, to insert:

Charters and constitutions: For the purchase from Prof. Francis N. Thorpe of the manuscript for a new edition of charters, constitutions, and organic laws of all the States, Territories, and colonies now or heretofore forming the United States, and any acts of Congress relating thereto, prepared by him, \$10,000: *Provided*, That he shall prepare a complete index of the work and do all proof reading in connection with the preparation, printing, and publication thereof; and the Public Printer shall print and bind 6,000 copies of the work, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives.

Mr. CULBERSON. Mr. President, this appears to be a legal work. I should like to ask the Senator from Maine, who is in charge of the bill, if the manuscript was examined by the Judiciary Committee or any other committee of Congress with

reference to its adaptability and its precision and its accuracy before the item was introduced?

Mr. HALE. All of that has been examined and approved by the Committee on the Library. It is only a question of the second edition. The Committee on Appropriations had considered the question on the first edition. The item is inserted here, I may say properly, upon a letter of the chairman of the Committee on Appropriations of the House, saying that they intended to insert it in the bill there. Upon that, with the knowledge the committee had upon the subject, the provision is put in for the second edition of the work. It is a valuable work. There is no doubt about that.

Mr. CULBERSON. It is recommended by the Committee on the Library?

Mr. HALE. By the Committee on the Library.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Public Printing and Binding" on page 170, line 12, after the word "employees," to strike out "for the purchase and installation of, and instruction in, cost, audit, and inventory systems;" so as to read:

For the public printing, for the public binding, and for paper for the public printing, including the cost of printing the debates and proceedings of Congress in the Congressional Record, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, the Executive Office, and the Departments; for salaries, compensation, or wages of all necessary clerks and employees; for rents, fuel, gas, electric current, gas and electric fixtures, and ice, etc.

Mr. GALLINGER. I understand that the junior Senator from Ohio [Mr. DICK] wishes to make an inquiry concerning this item.

Mr. DICK entered the Chamber.

Mr. GALLINGER. The Senator from Ohio is now present.

Mr. DICK. I desire to ask the chairman of the committee the reason, if any, which the committee had for striking out parts of lines 12 and 13, on page 170, "for the purchase and installation of, and instruction in, cost, audit, and inventory systems?"

Mr. HALE. I am glad the Senator asked the question. It is a new thing entirely; the committee has no knowledge concerning it, and the language was struck out in order that in conference we may get information as to what it covers.

Mr. DICK. A very brief interview with a representative from the Printing Office is the only information I have to give the Senate with reference to this matter.

It is the purpose of the Public Printer to install a system in the Printing Office for the careful inventory of all of its property and for fixing the exact cost of every feature of the business done in this great establishment, the ultimate purpose being to curtail what has appeared to be very great extravagance in the management of the Printing Office of the General Government; and it was thought that if by some system of book-keeping this whole method can be demonstrated, a great saving in the end to the Government would be accomplished.

Mr. HALE. I can assure the Senator that if it is shown in conference that the amendment covers a proper reform in that direction there will be no difficulty in reinserting it; but the committee of conference ought to have full information upon it.

Mr. DICK. Very good.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Committee on Appropriations.

The amendment was agreed to. The reading of the bill was resumed and continued to the end of line 18, on page 171.

Mr. HALE. In line 4, page 171, there is a transposition of appropriation. Insert, after the words "five million," the words "one hundred thousand."

The SECRETARY. On page 171, line 4, after the words "five million," insert "one hundred thousand;" so as to read:

And for all the necessary materials needed in the prosecution of the work, \$5,100,000.

The amendment was agreed to.

Mr. HALE. And in line 9 strike out the sum and insert "two million ninety-three thousand five hundred dollars."

The SECRETARY. Strike out, in lines 9 and 10, the words "one million nine hundred and ninety-three thousand five hundred" and insert "two million ninety-three thousand five hundred dollars."

Mr. HALE. That is all right.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 173, line 16, after the date "1895," to insert "and in pursuance of the pro-

visions of public resolution No. 13 of the present session;" so as to make the clause read:

For the Department of Agriculture, including not to exceed \$25,000 for the Weather Bureau, and including the Annual Report of the Secretary of Agriculture, as required by the act approved January 12, 1895, and in pursuance of the provisions of public resolution No. 13 of the present session, \$300,000.

The amendment was agreed to.

The next amendment was, on page 173, line 18, after the word "including," to strike out "the Bureau of the Census and;" and in line 19, after the word "Survey," to insert "and \$135,000 for the Census Office;" so as to make the clause read:

For the Department of Commerce and Labor, including the Coast and Geodetic Survey, and \$135,000 for the Census Office, \$500,000.

The amendment was agreed to.

The next amendment was, under the head of "The isthmian canal," on page 175, line 7, after the date "1902," to strike out:

Provided, That no part of the sums herein appropriated shall be used for the construction of a canal of the so-called sea-level type.

Mr. HALE. Two or three matters have been passed over, and I ask that the amendment on page 175, beginning in line 7 and including lines 8 and 9, be passed over for the action of the Senate to-morrow.

The VICE-PRESIDENT. It will be passed over in the absence of objection.

The reading of the bill was resumed and continued to the end of line 23, on page 179.

Mr. HALE. In line 19, page 179, I move to strike out the words "Secretary of the Treasury" and insert "Attorney-General." It is done at the request of the Secretary of the Treasury.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 182, after line 3, to strike out section 7 in the following words:

SEC. 7. From and after July 1, 1906, all of the expenses of the supreme court of the District of Columbia and of the court of appeals, District of Columbia, the office of the United States marshal for said District, and the office of the district attorney for said District, including the salaries of the judges of the supreme court, the salaries of the judges and clerk and assistant clerk of the court of appeals, the salaries of the district attorney and his assistants, all fees of witnesses, fees of jurors, pay of bailiffs and criers, and all the miscellaneous expenses of said courts, and all other lawful expenses of said courts and their officers, shall be paid one half from the revenues of the District of Columbia and the other half from the revenues of the United States: *Provided further*, That one-half of the fees collected and deposited by the marshal after June 30, 1906, for services rendered by him and his deputies shall be deposited to the credit of the District of Columbia and the other half to the credit of the United States, and the excess of the earnings of the clerk of the supreme court of the District of Columbia, and the fees of the clerk of the said court of appeals shall be deposited in like manner: *Provided further*, That if a balance shall be found due the clerk of the supreme court of the District of Columbia under section 182 of the Code of the District of Columbia, such balance shall be payable one-half from the revenues of the District of Columbia and one-half from the revenues of the United States: *Provided further*, That estimates for all expenditures hereunder shall, for the fiscal year 1908 and annually thereafter, be submitted through the Commissioners of the District.

The amendment was agreed to.

The next amendment was, on page 183, line 9, to change the number of the section from "8" to "7."

The amendment was agreed to.

The next amendment was, on page 183, line 14, to change the number of the section from "9" to "8."

The amendment was agreed to.

The next amendment was, on page 183, after line 20, to insert as a new section the following:

JAMESTOWN EXPOSITION.

SEC. 9. That there shall be exhibited at the Jamestown Exposition by the Government of the United States from its Executive Departments, the Smithsonian Institution, the National Museum, and the Library of Congress, such articles and materials as illustrate the functions and administrative facilities of the Government and such articles and material of an historical nature as will serve to impart a knowledge of our colonial and national history; and such Government exhibits shall include the Life-Saving Service, the Revenue-Cutter Service, the Army, the Navy, the Light-House Service, the wireless telegraph service, the Bureau of Fisheries, and an appropriate exhibit of the products and resources of the district of Alaska, the Territory of Hawaii, the Philippine Islands, and the island of Porto Rico. And the Bureau of the American Republics is hereby invited to make an exhibit illustrative of the resources and international relations of the American Republics, and space in the United States Government building shall be provided for that purpose. And the Jamestown Tercentennial Commission, created by an act of Congress of March 3, 1905, providing for an international naval, marine, and military celebration on the waters of Hampton Roads, in the State of Virginia, composed of the Secretaries of the Treasury, War, and Navy, shall, in addition to the authority and duties conferred and imposed by the said act, be authorized and empowered, and it shall be their duty to provide for the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of the said Government exhibits; and to this end they shall have power and authority to create and appoint such boards, commissions, agents, and employees as they may deem desirable, and to vest in such boards, commissions, agents, and employees such power

and authority as they may deem necessary or expedient. In addition to the articles and materials which the said Jamestown Tercentennial Commission may select for exhibition as aforesaid, the President of the United States may in his discretion designate other and additional articles and materials.

The officers and employees of the Government who may be appointed as aforesaid by the said Jamestown Tercentennial Commission to carry out the provisions of this section, and any officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the said business. Officers of the Army and Navy shall receive said allowance in lieu of the subsistence and mileage now allowed by law; and the Secretary of War and the Secretary of the Navy may, in their discretion, detail retired Army or Navy officers for such duty. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with the said Jamestown Tercentennial Exposition. And to carry out the provisions of this section the sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the same to be expended in accordance with the general law and such rules and regulations as the said Jamestown Tercentennial Commission may prescribe.

That the Secretary of the Treasury shall cause to be erected on the site of the said exposition the following buildings: A building for the United States Government exhibit provided for in section 1 of this act, with such annex as may be necessary for the Territorial and insular exhibit; a building for the exhibit of the United States Life-Saving Service; a fisheries building, including an aquarium, and a building for the Geological Survey; all of which buildings shall not exceed in the aggregate a cost of \$250,000, which amount shall be apportioned among them by the said Jamestown Tercentennial Commission; also a building for use as a place of rendezvous for the sailors and soldiers of the United States Navy and Army and of the foreign navies and armies participating in the celebration, at a cost not exceeding \$75,000; also a building for use as a place of rendezvous for the commissioned naval and Army officers participating in said celebration, at a cost not exceeding \$50,000. Included in the said several sums representing the cost of the said several buildings shall be the preparation of the grounds therefor and the lighting thereof. All of said buildings shall be erected, as far as practicable, on the colonial style of architecture from plans prepared by the Supervising Architect of the Treasury, to be approved by the Secretary of the Treasury; and the Secretary of the Treasury is hereby directed to contract for said buildings in the same manner and under the same regulations as for other public buildings of the United States. And to carry out the objects of this section, the several sums of money in this section above enumerated, aggregating \$375,000, are hereby appropriated, out of any money in the Treasury not otherwise appropriated. At the close of the exposition the Secretary of the Treasury is authorized and directed to dispose of said buildings or the materials composing the same, and of the piers which are provided for in this act, or the materials thereof, giving preference to the Jamestown Exposition Company to the extent that it shall have the option to purchase the same at an appraised value to be ascertained in such manner as the Secretary of the Treasury may determine.

That to the end that free and ready communication between the ships and the shore may be had, and in order to furnish ample and safe harbor for the small craft necessary to convey the soldiers and exposition visitors from the grounds to the fleet, there shall be constructed from plans to be furnished by the Jamestown Exposition Company and approved by the Secretary of War, two piers extending from the exposition grounds into the waters of Hampton Roads, the ends of said piers to be surmounted with towers for the exhibit, if practicable, of the Light-House Service and wireless telegraph service. Said piers shall be connected by an arch sufficiently high to permit small craft to enter under it into a basin or harbor, which shall be dredged to a sufficient depth to accommodate boats drawing not more than 10 feet of water at mean low tide. And the Secretary of War is directed to contract for the construction of said piers and basin in the same manner and under the same regulations as for public structures of the United States, but the contract price shall not exceed the sum of \$400,000, or as much thereof as may be necessary, which sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated: *Provided*, That before the appropriation made by this section shall become available, the Jamestown Exposition Company shall file with the Secretary of the Treasury an agreement that it will, at its own expense, operate and manage said piers and basin during the period of the exposition, and that it will, at its own expense, illumine the same so as to make it a feature of especial attractiveness when viewed from the harbor where the naval fleets will be assembled: *Provided further*, That all small craft attached to any naval vessel of this or any foreign country, whose fleet is in the waters of Hampton Roads to participate in the celebration, shall have access to and use of said basin and piers for the purpose of communication with the exposition grounds without any charge therefor and under such rules and regulations as the Secretary of the Navy shall prescribe: *Provided further*, That the same right of access and use of said basin and piers during the exposition shall be, and is hereby, reserved to the United States, but nothing herein contained shall be construed to impose upon the United States any obligation to maintain or keep in repair such piers or basin or approaches thereto.

That for the transportation of United States troops participating in the said Jamestown Tercentennial Exposition and the extraordinary expense incident to such participation, the sum of \$100,000 is hereby appropriated, or as much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, to be expended in the discretion of the Secretary of War.

That in aid of the said Jamestown Tercentennial Exposition the sum of \$250,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, which sum shall be paid to the Jamestown Exposition Company upon satisfactory evidence being furnished the Secretary of the Treasury that the said company has expended the sum of \$500,000 on account of said exposition. Said \$250,000 shall be paid by the Secretary of the Treasury upon vouchers and satisfactory evidence that it has been expended for the purposes of the exposition other than salaries.

That for the erection of a permanent landing pier at Jamestown Island on the frontage owned by the Association for the Preservation

of Virginia Antiquities, the precise location to be agreed upon by the Secretary of War and said association and to be donated by said association to the United States, the sum of \$15,000, or so much thereof as may be necessary, is hereby appropriated, out of any sum of money in the Treasury not otherwise appropriated. The Secretary of War is directed to contract for the construction of said pier in the same manner and under the same requirements as for public structures of the United States: *Provided, however*, That if in the judgment of said Secretary of War any pier which is already constructed upon land adjacent to the land owned by said Association for the Preservation of Virginia Antiquities is suitable for the purpose of landing to view this historic spot and to land material for the construction of the monument to be erected thereon, and the same can be purchased within the appropriation here made, he is hereby authorized to expend the sum hereby appropriated for the purchase of said pier and of a sufficient and proper amount of land adjacent thereto to give free access to the grounds owned by such Association for the Preservation of Virginia Antiquities and the monument to be erected thereon under the provisions of an act approved March 3, 1905. For the policing during the exposition period of the grounds owned by the Association for the Preservation of Virginia Antiquities, upon Jamestown Island, and for erecting thereon suitable retiring rooms and rest stations for the visiting public, and for providing drinking water at suitable places thereon, and for such benches and other accommodations as visitors to such island will need, the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated. The moneys appropriated by this section shall be expended by and under the direction of the Secretary of War, and shall not be expended by him until such provisions are made with such association as will insure the free access, not only to the landing pier, but to every part of the grounds of said association, of all visitors who may come during the period of the said exposition, and will insure free access always to that part of the grounds upon which said monument is located.

That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition upon which there shall be a tariff or customs duty shall be admitted free of the payment of such duty, customs, fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell, for delivery at the close thereof, any goods or property imported for and actually on exhibition in the exposition buildings or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption or use in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal, and on articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale or withdrawal: *Provided further*, That nothing in this section contained shall be construed as an invitation, express or implied, from the Government of the United States to any foreign government, state, municipality, corporation, partnership, or individual to import any such articles for the purpose of exhibition at the said exposition.

That medals with appropriate devices, emblems, and inscriptions commemorative of said Jamestown Tercentennial Exposition and of the awards to be made to the exhibitors thereat and to successful contestants in aquatic and other contests shall be prepared for the Jamestown Exposition Company by the Secretary of the Treasury at some mint of the United States, subject to the provisions of the fifty-second section of the coinage act of 1893, upon the payment by the Jamestown Exposition Company of a sum equal to the cost thereof; and authority may be given by the Secretary of the Treasury to the holder of a medal properly awarded to him to have duplicates thereof made at any of the mints of the United States from gold, silver, or bronze upon the payment by him for the same of a sum equal to the cost thereof.

That in aid of the Negro Development and Exposition Company of the United States of America to enable it to make an exhibit of the progress of the negro race in this country at the said exposition, the sum of \$100,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated. This sum shall be expended by the Jamestown Tercentennial Commission under rules and regulations prescribed by it and for such objects as shall be approved by both the said Negro Development and Exposition Company of the United States of America and the said Commission: *Provided, however*, That a reasonable proportion of said appropriation shall be expended for a building within which to make such exhibit.

That except to the extent and in the manner by this act provided and authorized the United States Government shall not be liable on any account whatever in connection with the said exposition, and nothing in this act shall be construed so as to create any liability upon the part of the United States Government, direct or indirect, for any debt or obligation incurred, or for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support of or in liquidation of any debts or obligations created by said United States Government Board, or any other board, commission, or any person or persons whomsoever, acting or claiming to act by authority of this act in excess of the appropriations provided for by this act.

That the United States Government shall not in any manner or under any circumstances be liable for any of the acts, doings, or representations of the Jamestown Exposition Company, its officers, agents, servants, employees, or any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscription to the capital stock, or for any stock certificates, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind or nature whatsoever incurred by the said Jamestown Exposition Company in connection with the holding of the said exposition.

That all moneys appropriated by this act which the Jamestown Tercentennial Commission is authorized to expend shall be drawn out of the Treasury in such manner and under such regulations as such Commission may determine, subject to the approval of the Secretary of the Treasury; and at the close of the exposition period, and after the work of such Commission is completed, such Commission shall make a complete report of their actions hereunder and a complete statement of all expenditures for each of the purposes herein specified to the President of the United States for transmission to Congress.

The amendment was agreed to.

Mr. HALE. I offer the following committee amendment.

The SECRETARY. On page 2, after line 21, insert:

Cedar Rapids, Iowa—Rent of buildings: For rent of temporary quarters for the accommodation of certain Government officials, and all expenses incident thereto, including necessary moving expenses, \$10,000.

The amendment was agreed to.

Mr. CULLOM. I offer the following amendment.

The SECRETARY. On page 180, after line 9, insert:

And the salary of the appraiser of merchandise for the port of Chicago is hereby fixed at \$4,500.

The amendment was agreed to.

Mr. WARREN. I ask the Secretary to turn to page 72, line 7, "Salaries and commissions of registers and receivers." With the permission of the Senator in charge of the bill, I offer an amendment at that point.

The SECRETARY. On page 72, line 7, insert after the word "hundred" the words "and seventy-three;" so as to read "five hundred and seventy-three thousand dollars."

Mr. HALE. That is right.

The amendment was agreed to.

Mr. GALLINGER. I offer an amendment to the bill.

The SECRETARY. After line 14, page 69, insert the side head "Census Office" and the following:

The Director of the Census is hereby authorized and directed to publish, in a permanent form, by counties and minor civil divisions, the names of the heads of families returned at the First Census of the United States in 1790; and the Director of the Census is authorized, in his discretion, to sell said publications, the proceeds thereof to be covered into the Treasury of the United States, to be deposited to the credit of miscellaneous receipts on account of "Proceeds of sales of Government property."

The amendment was agreed to.

Mr. GALLINGER. In connection with the amendment I should like to have inserted in the RECORD an extract from the report of the Director of the Census and a letter from the Director of the Census.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the report of the Director of the Census for 1904.]

PROPERTY OF PUBLISHING THE RETURNS OF THE FIRST CENSUS.

In this connection I ask your attention to a request frequently made by the patriotic organizations of the country and by individuals, that the Government shall compile and publish the names of the heads of families in the original thirteen States, or returned at the census of 1790. Unfortunately the First Census schedules for Delaware, Georgia, Kentucky, New Jersey, Tennessee, and Virginia were burned at the time of the capture of Washington by the British, or have since been lost or destroyed; but the schedules still in existence—comprising Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and Vermont—contain much information, ready access to which would be welcomed by students. This information would increase the general knowledge of the origin and distribution of the early population of the country. The population of the United States in 1790, excluding slaves, was returned as 3,231,533, of which number 824,713 resided in the States and Territories for which the schedules are missing, leaving 2,406,820 as the population enumerated on the schedules now in possession of the Bureau. I estimate that this population represents 401,134 heads of families, and that the desired information could be printed in 2,507 pages, at a cost, for printing and binding an edition of 5,000 in two volumes, of \$32,570. I doubt if the Government can make a more substantial and welcome contribution to its own history for a like sum of money; and I recommend that Congress be asked to make a specific appropriation for this publication, much of which is certain to return to the Treasury from the sale of these volumes. If they are sold to the public at a price corresponding somewhat with their cost, it will insure their distribution only to those who will prize them, and avoid the waste which so frequently attends the distribution of public documents.

CENSUS OFFICE, OFFICE OF THE DIRECTOR,
Washington, D. C., April 25, 1906.

Hon. CHESTER I. LONG, United States Senate.

DEAR SENATOR LONG: In response to your verbal suggestion to-day, I beg to say that the proposition covered by Senator GALLINGER's joint resolution "to provide for the publication of the names of the heads of families returned at the First Census of the United States" appeals to me as most commendable. This census is the only record of American families as they existed in 1790, and is especially valuable from a historical and genealogical standpoint. The constant requests made upon this office for genealogical information obtainable only from this census indicates that its publication would meet a widespread and increasing want. The constant use to which these volumes have been subjected for this purpose during the century has reduced many of them to a very dilapidated condition, and at no distant date will result in their destruction.

The interest shown in the proposition, particularly among the members of the patriotic societies of the country, is shown by the fact that the Daughters of the American Revolution, at their recent congress in the city of Washington, unanimously passed a resolution, a copy of which I am inclosing, indorsing the publication of these records.

The subject was referred to at some length in the Annual Report of the Director of the Census for 1904, and as a fuller expression of my views, I am inclosing herewith that portion of this report in which the proposed publication was earnestly advocated.

This extract from the report of the Director indicates that the cost of the proposed publication, in two volumes, will be approximately \$32,000. The printing will be the only cost connected with the publication, as the records can be copied at convenient intervals, by the regular clerical force of this office.

I beg leave to call your attention to the fact that a resolution sim-

Mr. Nelson's was introduced in the House of Representatives by Mr. CALDER, of New York, and that the Census Committee of the House, at its meeting on Friday last, authorized a favorable report on the resolution, and struck out the last provision of the resolution authorizing that 1,000 copies should be printed for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for distribution by the Director of the Census. This amendment was made upon my suggestion, in view of the fact that no publications of the Census Office are included in the Congressional allotments for printing. In every case the size of the edition of census publications is left by the law to the discretion of the Director of the Census, the result of which has been a much greater economy in the printing of the Office than would have been possible under the allotment system, and an entire avoidance of wasteful distribution, of which so much complaint has recently been made. In order that you may fully understand the attitude of the Census Office upon this question, I inclose herewith a copy of a memorandum on the subject, prepared for my use by the chief clerk of this Office.

In my judgment the joint resolution will be still further improved if, in lieu of the provision stricken out by the House committee, the following amendment is inserted: "And the Director of the Census is authorized, in his discretion, to sell said publication, the proceeds thereof to be covered into the Treasury of the United States, to be deposited to the credit of 'Miscellaneous receipts on account of proceeds of sales of Government property.'" The adoption of this amendment will still further safeguard the distribution of the publication, and it is my belief that the sale of the volumes will return to the Treasury a very considerable part of the cost of printing. Under these conditions I can see no objection to attaching Senator GALLINGER's resolution, with the proposed amendment, to the census bill now pending in the Senate.

Very respectfully,

S. N. D. NORTH, Director.

Mr. GALLINGER. I beg to offer another amendment. In advance I will say it is subject to a point of order, which I trust may not be made against it. It is a matter that is very familiar to the Senate, and I feel that there is an urgent necessity for the insertion of the amendment in the bill in the hope that it may become law.

The SECRETARY. After line 18, on page 106, insert:

The Washington Railway and Electric Company, the Capital Traction Company, the City and Suburban Railway of Washington, and the Anacostia and Potomac River Railroad Company are hereby authorized to construct temporary surface tracks on the Union Station plaza and along such streets as may be designated by the Commissioners of the District of Columbia to connect with existing tracks at the intersection of C street and Delaware avenue or North Capitol street, and at First and G streets NW., and to operate cars on such temporary surface tracks by overhead trolley pending the construction of the permanent underground electric system, for which, so far as Union Station changes and extensions are concerned, there is no authority in law: *Provided*, That the temporary tracks, poles, and other appurtenances necessary to the operation of the overhead-trolley lines herein authorized shall be removed immediately after the operative completion of the permanent tracks hereinbefore referred to.

Mr. HANSBROUGH. I suppose that is intended to take the place of the bill which has been under discussion in the Senate. I ask the Senator from New Hampshire if that is correct?

Mr. GALLINGER. I will say that if this should become a law, beyond question the bill that has been under debate will be abandoned for the present session.

Mr. HANSBROUGH. The bill which has been under discussion will be abandoned?

Mr. GALLINGER. It will be abandoned if this becomes a law, for the reason, and for the only reason, that I feel it is extremely doubtful, even if the Senate should pass the bill which has been discussed within a day or two, that it could get consideration in another body.

Mr. HANSBROUGH. I think the Senator is right about that. It is not my purpose to delay the bill which has been under consideration here, and I myself had prepared an amendment very much like the amendment the Senator has just offered. It provides, as I understand it, for merely temporary tracks and temporary overhead trolley lines.

Mr. GALLINGER. Yes. The bill which has been under discussion has been delayed since last December, hence the necessity for this amendment.

Mr. HANSBROUGH. I think the Senator from New Hampshire has had something himself to do with the delay.

The amendment was agreed to.

Mr. PERKINS. By permission of the acting chairman in charge of the bill, and on behalf of the committee, I desire to offer an amendment to the bill.

Mr. HALE. It is a committee amendment.

Mr. PERKINS. It is a committee amendment.

The SECRETARY. On page 75, after line 13, insert:

Reproducing plats of surveys, General Land Office: To enable the Commissioner of the General Land Office to reproduce by photolithography 4,855 copies, more or less, of the official plats of the United States surveys, constituting a part of the records of the office of the United States surveyor-general at San Francisco, Cal., which were destroyed by earthquake and fire April 18, 1906, \$14,565, or so much thereof as may be necessary.

Mr. HALE. I think that is already provided for in one of the deficiency bills, but if not, it ought to be, and therefore I do not object to the amendment.

The amendment was agreed to.

Mr. NELSON. I move to strike out the proviso on page 144, commencing in line 7, in the following words:

Provided, That this appropriation shall be available only under the condition that no bar or canteen shall be maintained at said Homes for the sale of beer, wine, or other intoxicating liquors.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 144, line 7, after the word "dollars," strike out the following proviso:

Provided, That this appropriation shall be available only under the condition that no bar or canteen shall be maintained at said Homes for the sale of beer, wine, or other intoxicating liquors.

Mr. NELSON. If the committee has no objection to the amendment, I do not want to take any time on this matter.

Mr. HALE. I am very sorry the Senator has projected this matter here. It will take a very long debate. The committee was practically decisive, I will not say unanimous, that as the House had taken this matter in hand and had passed this provision the Senate should not antagonize it. The Senate has been beset by Members from the House who were outvoted asking us to raise the issue. When it had been settled in the House the committee decided not to raise that issue. I am very sorry the Senator has done it. It will lead to a very long debate.

Mr. NELSON. I can not withdraw the amendment.

Mr. HALE. Then it is utterly impossible to-night to take a vote upon it. I shall ask, when we get through with the bill, that it be reported to the Senate and all the amendments which are not in question concurred in, and I shall ask that certain amendments, including this one, shall be reserved. I hope the Senator, before the debate is closed, will see how much he is delaying the bill by this amendment.

Mr. NELSON. I want the Senator from Maine to understand that I am not doing it for the purpose of delay. I am doing it in the interest of the old soldiers. I am, to a certain extent, an old soldier myself, and it is because I feel for the old men in our Soldiers' Homes that I am in favor of this amendment. I do not move the amendment for the purpose of delaying the bill. If the Senator does not care to hear me on it to-night, I will let it go over until to-morrow morning.

Mr. HALE. It will have to go over, because there is not a voting quorum here now.

The VICE-PRESIDENT. Without objection, the amendment will be passed over.

Mr. NELSON. Without prejudice.

The VICE-PRESIDENT. Without prejudice.

Mr. CLARK of Wyoming. With the consent of the acting chairman, I propose an amendment.

The SECRETARY. On page 154, after line 3, insert:

That the consolidated index to the United States Statutes at Large from March 4, 1789, to March 3, 1903, prepared under authority of Senate resolution of June 19, 1902, be printed, bound, and distributed in the manner now provided by law for the printing, binding, and distribution of the United States Statutes at Large and the Revised Statutes.

The amendment was agreed to.

Mr. LODGE. I offer an amendment to go in on page 20, after the word "building," in line 15.

The SECRETARY. On page 20, after line 15, insert a new paragraph, as follows:

International catalogue of scientific literature: For the cooperation of the United States in the work of the international catalogue of scientific literature, including the preparation of a classified index catalogue of American scientific publications, for incorporation in the international catalogue, the expense of clerk hire, the purchase of necessary books and periodicals, and other necessary incidental expenses, \$5,000, the same to be expended under the direction of the Secretary of the Smithsonian Institution.

The amendment was agreed to.

Mr. FULTON. I offer an amendment which I send to the desk.

The SECRETARY. On page 157, line 22, strike out the word "December" and insert the word "October;" so as to read:

On and after October 15, 1906, no sums of money shall be payable under and by virtue of the act of Congress of June 4, 1897, providing for the revision and codification of the criminal and penal laws of the United States, etc.

Mr. HALE. That is only a matter of time. There is no objection to the amendment.

The amendment was agreed to.

Mr. FULTON. On page 158, line 6, I move to strike out the word "December" and insert the word "October;" so as to read:

And the subsequent acts of Congress of March 3, 1899, and March 3, 1901, enlarging the duties of the commissioners appointed under said act, but the said commission so created shall, on or before said October 15, 1906, complete the duties imposed upon them thereby and shall present their final report thereon to the Attorney-General in accordance with the provisions of said act, etc.

The amendment was agreed to.

Mr. PATTERSON. Mr. President, my colleague [Mr. TELLER], before he went home, introduced an amendment which was printed, and I ask that it be inserted at the bottom of page 89.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the foot of page 89 insert:

That section 4 of an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906, be, and the same is hereby, amended by adding the following proviso at the end of the section—

Mr. HALE. The Senator from Colorado [Mr. TELLER] presented that matter in the committee. I told him we were not prepared to go into that question, and that if the amendment was submitted I must make a point of order against it.

Mr. PATTERSON. I hope the Senator from Maine will not insist upon a point of order. I realize, of course, that it is subject to a point of order, but it is to remedy what those who have intelligent knowledge of the subject know is a very grave injustice in the settlement of the affairs of the Five Civilized Tribes.

The only thing the amendment proposes to do is to allow the Secretary of the Interior to examine the rolls of the Five Civilized Tribes and transfer to the rolls of citizens by blood those whose names should be there, as appears from the enrollment records. It is that and nothing more. It is a matter that is absolutely of record, about which and to accomplish which no extraneous evidence or evidence de hors the record may be introduced. It is simply to give to a class of people who are entitled to have it, under solemn act of Congress, the lands and other benefits the acts pertaining to the Five Civilized Tribes contemplated that they should have.

I do hope that the Senator from Maine, who is usually so generous, will not make the point of order. Certainly he must recognize that the Senate has been kind in interposing no points of order to many, many provisions that are in this bill and that were subject to points of order; and I think that he might omit to make the point when the only thing that is sought to be accomplished is that which, if justice is done to helpless people, must be done in this way.

I appeal to the Senator from Maine to allow this provision to be added to the bill.

Mr. HALE. Mr. President, I do not think the conferees ought to be embarrassed by introducing this subject and putting it in as an amendment. I think the Senator himself sees the force of the objection. I realize what he has said that the Senate has been very indulgent about this bill.

Mr. PATTERSON. Let me say to the Senator from Maine that, as I understand it, the members of the Committee on Indian Affairs of the Senate recognize the justice of this provision. It would have been in the bill in substance had it not been for the intense opposition of a member of the conference on the part of the House.

Mr. HALE. Now, I appeal to the Senator. Suppose he were in my place. Does he think that this subject which has been thrashed out in long debate and in conference upon another bill ought to be presented and put into this bill, and thereby raise the question with another set of conferees?

Mr. PATTERSON. It has never been presented in this form. It has never been presented in a manner in which everything that is objectionable has been eliminated. The objections that were made when we had it up before, I will say to the Senator from Maine, were that it admitted testimony de hors the record for the purpose of establishing the citizenship. Now everything of that kind is eliminated, and it is simply a duty now that by the amendment is devolved upon the Secretary of the Interior to make these transfers as they should be made under the law from that which appears on the rolls themselves. The Senator can trust the Secretary of the Interior. I hope he can.

Mr. HALE. I wish that Senators would take some responsibility themselves. I have every day measures submitted to me that I know to be subject to a point of order. Sometimes they are submitted by my constituents. I decline to present them because they are subject to a point of order. I wish Senators, who have a grave responsibility about these things, when they are besieged to offer amendments to appropriation bills that they know are subject to a point of order, would decline to present them. It ought not to be pushed in in this way and an appeal be made to the Senator in charge of the bill to give away the rights of the Senate and the committee. Senators themselves ought to exercise some judgment and ought to be able to say no.

I can not accept this amendment because it is subject to a point of order. If an appropriation bill is to be a matter of solicitation and every Senator is to offer every amendment he is asked to offer, although he knows it is subject to a point of order, and then he is to make a personal appeal to the Senator

in charge of the bill, we are not getting the right form of legislation. I am no more responsible for this bill than the rest of the Senate, and the Senator ought not to make an appeal to me as he does.

Mr. PATTERSON. Mr. President, I do not want to seem to be unduly insistent in view of the very gentlemanly way in which the Senator from Maine seeks to assert his opposition. I want to say to the Senator from Maine that I can at least speak for one Senator who has time and time again, from the motives that he suggested should move Senators, refused to move amendments to appropriation bills for the very reason he states.

I want to ask the Senator from Maine whether a lecture—and I use the term in the most inoffensive manner possible—comes with good grace, after a bill has been read to the Senate and accepted, that if matters subject to a point of order were eliminated from it it would be at least one-third less in bulk? Surely the Senator from Maine has been unable to act with that Jacksonian firmness which he sometimes exhibits, and which I am glad he is now exhibiting in connection with another conference committee in regard to the construction of the great vessel. If he would exhibit the firmness that he talks of, and that would be so admirable if it could always be exhibited not only by him, but by all the Senators, as a matter of course, I would not have a word to say.

But I say to the Senator this is a matter in which I have taken a personal interest, and I have offered the amendment because I am convinced that the plainest kind of ordinary justice requires that some relief of this kind should be given. Were it not for that fact, if I had not given the matter very considerable investigation, if I was not convinced of the positive justice of the proposition, and if it did anything more than devolve upon the Secretary of the Interior authority to confirm this right from the records in his own office, I would yield in a moment.

Mr. HALE. Let me ask the Senator if the Committee on Indian Affairs is in favor of this amendment?

Mr. PATTERSON. So I understand, Mr. President. I have talked with the chairman of that committee, not upon this particular amendment, but I have talked—

Mr. HALE. If the Committee on Indian Affairs is in favor of this proposition, I will not make the point of order.

Mr. LONG. Mr. President—

Mr. PATTERSON. I do not want to be understood as saying that the Committee on Indian Affairs is in favor of it, because I have not talked with all the members. I talked with the chairman of the committee, and the chairman I know is in favor of it. I understood from him that the Senate conferees were in favor of a proposition substantially what this is, only that this is less objectionable than the one they discussed.

Mr. CLARK of Wyoming. Will the Senator allow me?

Mr. PATTERSON. Certainly.

Mr. CLARK of Wyoming. Let the amendment be read for information.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. At the foot of page 89 insert:

That section 4 of an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906, be, and the same is hereby, amended by adding the following proviso at the end of the section:

"And provided further, That the Secretary of the Interior be, and he is hereby, authorized and directed to reexamine the enrollment records of the Five Civilized Tribes for the purpose of ascertaining whether said enrollment records show that persons who, at the time their enrollment was made, were of Indian blood on the side of either parent, and to make such transfer of the names of such persons from one roll to another as they are entitled to on account of the facts appearing by such enrollment records."

Mr. SPOONER. What is meant by the words "enrollment records?"

Mr. PATTERSON. I suppose it means the enrollment records associated with the applications.

Mr. SPOONER. That they should be taken into consideration in passing on the subject?

Mr. PATTERSON. It means that the Secretary of the Interior—

Mr. SPOONER. Is this the same question that was being discussed the other day in the Senate on the conference report?

Mr. PATTERSON. Yes.

Mr. SPOONER. I do not know but the language ought to be guarded a little more than that.

Mr. PATTERSON. That might be done, I think, in the committee of conference.

Mr. HALE. The Committee on Indian Affairs are evidently against this matter. If the members of that committee do not

make any point of order, it having been in that committee, I certainly shall not make the point of order. Something ought to be done by other committees that deal with these subjects and consider and deliberate upon them. If no member of the committee makes the point of order on the amendment, I shall not make it.

Mr. LONG. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Kansas?

Mr. HALE. Certainly.

Mr. LONG. The chairman of the Committee on Indian Affairs, the junior Senator from Minnesota [Mr. CLAPP], is absent, and so I ask that this amendment may go over.

Mr. HALE. I can not agree to that, Mr. President. I repeat, if no member of the Committee on Indian Affairs makes the point of order on the amendment I shall not make it, and the Senate may adopt it.

Mr. PATTERSON. Let me say to the Senator from Kansas [Mr. LONG] that if the chairman of the Committee on Indian Affairs, when he appears here to-morrow, objects, and if the Senator from Kansas objects to-morrow, I will agree that the amendment may go out.

Mr. HALE. I shall not agree that the amendment go over.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Colorado [Mr. PATTERSON]. The amendment was rejected.

Mr. MALLORY. I offer the amendment which I send to the desk, to come in on page 92, at the end of line 14.

The VICE-PRESIDENT. The amendment proposed by the Senator from Florida will be stated.

The SECRETARY. On page 92, at the end of line 14, it is proposed to insert the following proviso:

Provided, That all of the appropriations herein made for the Government Hospital for the Insane shall be disbursed under the direct supervision of the Secretary of the Interior by the disbursing officer of the Department of the Interior on vouchers properly certified by the superintendent of the hospital and approved by the Secretary of the Interior.

Mr. HALE. Let the Senator from Florida confine his amendment to the proposition that these appropriations shall be disbursed under the control of the Secretary of the Interior. I do not want to recognize any disbursing officer.

Mr. MALLORY. I call the Senator's attention to the fact that in the Report of the Secretary of the Interior for the year 1905 he makes the direct recommendation, and the amendment, I think, is the language of the recommendation.

Mr. HALE. If the Senator will strike out the words I have indicated, I shall not object; otherwise I shall have to make the point of order against the amendment.

Mr. MALLORY. I have not before me the copy of the amendment.

The VICE-PRESIDENT. The modification of the amendment suggested by the Senator from Maine [Mr. HALE] will be stated.

The SECRETARY. It is proposed to strike out the words "by the disbursing officer of the Department of the Interior;" so that as modified the amendment will read:

Provided, That all of the appropriations herein made for the Government Hospital for the Insane shall be disbursed under the direct supervision of the Secretary of the Interior on vouchers properly certified by the superintendent of the hospital and approved by the Secretary of the Interior.

Mr. HALE. I have no objection to the amendment as modified. I think it is right.

The VICE-PRESIDENT. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. MALLORY. I have another amendment which I desire to offer.

The VICE-PRESIDENT. The amendment proposed by the Senator from Florida will be stated.

The SECRETARY. On page 91, after the word "patients," at the end of line 7, it is proposed to insert:

Provided, That none of the moneys herein appropriated shall be used to purchase or maintain more than one horse and vehicle or one automobile for the use of the superintendent.

Mr. HALE. I think that is right, Mr. President.

The amendment was agreed to.

Mr. CARTER. I offer the amendment which I send to the desk.

The SECRETARY. On page 123, after the word "dollars," on line 10, it is proposed to insert:

Of which sum \$1,000 may be used under direction of the Secretary of War for examination, survey, and plans for adequate water supply for Fort William Henry Harrison, in the State of Montana.

Mr. HALE. Only a thousand dollars?

Mr. CARTER. Yes; for an examination.

Mr. HALE. Well, I do not object to it.

The amendment was agreed to.

Mr. CARTER. On page 127, after line 24, I move to insert as a separate paragraph the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After line 24, on page 127, it is proposed to insert:

For the survey and construction of a wagon road from the West Gallatin River, by the most direct and practicable route, to Mammoth Hot Springs, in the Yellowstone National Park, \$15,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. HANSBROUGH. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. At what point does the Senator desire to have the amendment inserted?

Mr. HANSBROUGH. I think somewhere in the vicinity of the amendment in relation to the Jamestown Exposition.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert, on page 88, after line 10, the following:

For the management, improvement, and protection of Sullys Hill Park, in the State of North Dakota, to be expended under the supervision of the Secretary of the Interior, \$2,500.

Mr. HANSBROUGH. Just a word, Mr. President. The Secretary of the Interior has recommended this.

Mr. HALE. That is a park I never heard of.

Mr. HANSBROUGH. That is one of the reasons why I offer the amendment. I want a great many people to hear of it. The Secretary of the Interior recommends the appropriation for the improvement of this park.

The amendment was agreed to.

Mr. HALE. Now, Mr. President, I am going to ask that the bill be reported to the Senate, and then I shall ask that certain amendments be reserved.

Mr. SPOONER. Before the bill is reported to the Senate, I want to ask attention to page 133. The Senator from Maine is a man of fine literary sense and taste, and I wish to read the language here, which seems to need a little improvement.

Mr. HALE. On what page?

Mr. SPOONER. On page 133, beginning with line 11:

For hospital, namely: Pay of assistant surgeons, matrons, druggists, hospital clerks and stewards, ward masters, nurses, cooks, waiters, readers, hospital carriage drivers, hearse drivers, gravediggers, funeral escort, and for such other services as may be necessary for the care of the sick.

Mr. HALE. The Senator might add "and the dead," if he thinks that will cover it.

Mr. SPOONER. I think that would answer, or "the burial of the dead."

Mr. HALE. There is no objection to that.

The VICE-PRESIDENT. What is the amendment proposed by the Senator from Wisconsin?

Mr. SPOONER. After the word "sick," in line 15, page 133, I move to insert the words "and the burial of the dead."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 133, line 15, after the word "sick," it is proposed to insert the words "and the burial of the dead."

The amendment was agreed to.

Mr. CULBERSON. Mr. President, before adjournment I wish to call the attention of the Senator from Maine to pages 154 and 155, where amendments occur in italics on those pages. I ask the Senator if those amendments do not change existing law? I recall that separate bills for this purpose were introduced in the Senate; that they were referred to the Committee on the Judiciary, and were considered by that committee without final action, if I mistake not.

Mr. HALE. Does the Senator refer to the amendments fixing the salaries of district attorneys and marshals in the States of Idaho and California?

Mr. CULBERSON. Yes. I recall that, generally speaking, it was the opinion of the committee that these matters ought to be taken up in some general way by a general bill readjusting the salaries wherever they should be readjusted, and not confining the action to Idaho and California.

Mr. SPOONER. That suggestion was made; but I think afterwards it was agreed that in order to equalize these two cases pending the general adjustment, which the committee was not prepared at that time to report upon, these two should be favorably reported, and I think they were.

Mr. HALE. The Committee on Appropriations were told that the Committee on the Judiciary had unanimously agreed, under the conditions suggested by the Senator from Wisconsin, upon these propositions, and therefore the Committee on Appropriations recommended their insertion in the bill.

Mr. CULBERSON. Without taking further time, I reserve the point of order on those amendments until I can examine the matter.

Mr. NELSON. I wish to say that the Committee on the Judiciary reported favorably on the subject.

Mr. HALE. Mr. President, those amendments may be reserved.

Mr. HANSBROUGH. Mr. President, I want to reserve the right to move to reconsider the vote, or to again bring up the amendment offered by the Senator from New Hampshire [Mr. GALLINGER] a while ago, in regard to permitting the street railways to lay their tracks to the Union Station. I have examined the amendment more carefully than I could by listening to it when it was read at the desk, and I am not at all pleased with its phraseology. That may be my fault. I simply want to reserve that amendment when the bill gets into the Senate. Meantime I will offer an amendment, which I shall propose tomorrow.

Mr. HALE. I ask that all amendments may be offered to-night.

Mr. HANSBROUGH. Then I will offer it as an amendment to the amendment offered by the Senator from New Hampshire.

Mr. GALLINGER. Let it be read, Mr. President.

The VICE-PRESIDENT. The proposed amendment will be stated.

The SECRETARY. In lieu of the amendment adopted on motion of Mr. GALLINGER, it is proposed to insert—

The VICE-PRESIDENT. The amendment in the present stage of the bill is not in order.

Mr. GALLINGER. I should like to have it read for information.

The VICE-PRESIDENT. The proposed amendment will be read for the information of the Senate.

The Secretary read as follows:

That the existing street railway companies in the District of Columbia, under rules and regulations to be prescribed by the Commissioners of the District of Columbia, be, and they are hereby, authorized to lay temporary tracks to and from the new Union Station, connecting with their permanent tracks, and to operate their cars over such temporary tracks by overhead electrical trolley power until such time as the said street railway companies, or any of them, shall receive authority from Congress to extend their existing lines to and in front of the said Union Station and put in permanent conduits for the purpose of operating their system or systems by the underground trolley.

Mr. HALE. I shall ask that that amendment be reserved. Of course when that amendment comes up in the Senate, amendments can be offered to it, and the Senator can offer his amendment at that time.

Mr. HANSBROUGH. That is satisfactory to me.

The VICE-PRESIDENT. It will be in order to offer the amendment when the bill reaches the Senate.

Mr. HALE. I ask that the bill be reported to the Senate.

Mr. MALLORY. I have an amendment that I will ask to have read, and I will offer it when the bill gets into the Senate. It is to the amendment adopted at the instance of the Senator from New Hampshire [Mr. GALLINGER].

Mr. HALE. Let it be printed, Mr. President.

Mr. GALLINGER. I should like to have it read.

The VICE-PRESIDENT. At the request of the Senator from New Hampshire, the proposed amendment will be read.

The SECRETARY. It is proposed to insert the following proviso:

Provided, That the existing transfer arrangements between said Washington Railway and Electric Company and other passenger transportation corporations shall not be terminated except by authority of Congress.

Mr. HALE. I am satisfied, in view of all the controversies that have arisen, that I shall have to make the point of order against the amendment when it reaches the Senate, but for the present I reserve the right.

Mr. GALLINGER. Mr. President, I rise to say that I will save the Senator the trouble of doing that, if I can have the privilege of withdrawing the amendment that I offered; and then the traveling public can walk in Washington after the Union Station is completed.

Mr. HALE. I understand the Senator withdraws his amendment?

Mr. GALLINGER. I do. I withdraw my amendment, and I shall make the point of order against all other amendments relating to that matter.

Mr. HALE. Now, Mr. President, I am going to ask that the bill be reported to the Senate, and when the Chair asks the question—

The VICE-PRESIDENT. Without objection, the vote by which the amendment proposed by the Senator from New Hampshire was adopted will be regarded as reconsidered. The Senator from New Hampshire withdraws his amendment.

Mr. HALE. That is right. Now, Mr. President, let the bill be reported to the Senate. Then I will reserve certain amendments.

The VICE-PRESIDENT. The Chair is inclined to think that, as a number of amendments pending in Committee of the Whole have been passed over, the bill can not now be reported to the Senate.

Mr. HALE. The same effect is reached, Mr. President, if the bill be reported to the Senate with such amendments reserved. When they are reserved in Committee of the Whole the right of every Senator is maintained when the bill gets into the Senate as to those amendments and any proposition that he may make upon them.

The VICE-PRESIDENT. The amendments must be first agreed to as in Committee of the Whole. After the amendments go into the Senate they are still open to amendment, but they can not be taken into the Senate at this stage, as it is obvious to the Chair that they must be first agreed to as in Committee of the Whole.

Mr. HALE. I do not think it is very essential. It is evident, though I am very sorry it is so, that we can not finish the bill to-night. However, the Senate is as much interested as I am.

The VICE-PRESIDENT. If the amendments are agreed to as in Committee of the Whole, they can be reserved for separate consideration in the Senate.

Mr. LODGE. Mr. President, of course, if the bill is reported to the Senate, it can only be reported with the amendments that have been made as in Committee of the Whole. Amendments that have been passed over have not been made or dealt with and fall when the bill is reported to the Senate.

Mr. HALE. Undoubtedly.

Mr. LODGE. But those amendments that have been passed over can all be offered as new amendments in the Senate.

The VICE-PRESIDENT. Then, would not this be the parliamentary status—

Mr. LODGE. The fact that an amendment has been passed over does not deprive us of the privilege of going into the Senate if they are to be offered there as new amendments.

Mr. HANSBROUGH. But, Mr. President, is not this the case: Would it not be necessary to withdraw the amendments?

Mr. LODGE. Yes; they ought to be withdrawn.

The VICE-PRESIDENT. They must be withdrawn; otherwise a part of the bill would be in the Senate and a part of the amendments would be in Committee of the Whole.

Mr. LODGE. That is what I meant to imply—that they must be disposed of in some manner.

The VICE-PRESIDENT. They can be withdrawn and offered in the Senate.

Mr. LODGE. It is not necessary to vote them down or vote them in, but they must be in some way disposed of.

The VICE-PRESIDENT. They must either be voted down, voted in, or withdrawn.

Mr. HALE. The controversies which we do not settle to-night—and the Lord only knows when we will settle them—must be settled hereafter. I do not see any way, unless these different amendments are acted upon, and then I will reserve them after the bill is reported to the Senate; but I am not very urgent about that, because—

The VICE-PRESIDENT. The amendments that have been passed over could be agreed to in Committee of the Whole and then reserved for separate votes when the bill comes into the Senate.

Mr. HALE. Yes; but perhaps some of the amendments are so important that the Senate would not be willing to agree to them even nominally; and, therefore, I shall ask—I have done all I could do to get the bill through to-day, but I can see plainly that it will not get through perhaps this week.

Mr. NELSON. Mr. President, to report the bill to the Senate without acting on amendments would be equivalent to the Committee of the Whole reporting to the Senate that they had considered the bill and made some progress with it, but have not disposed of it. Therefore, the bill would not be out of the Committee of the Whole until we had disposed of those amendments. But, Mr. President, so far as I am concerned, while I am interested in one amendment, I am quite content, if that will solve the difficulty, to withdraw it for the time being, with the understanding that I will offer it again when the bill gets into the Senate. However, I understand there are reserved two other amendments—the one to which the Senator from Mississippi [Mr. McLAUREN] objects, and the canal amendment. There may be some others, but I recall those two.

The VICE-PRESIDENT. The Senator from Minnesota withdraws the amendment.

Mr. NELSON. No; I will not withdraw it, unless it will help to solve the difficulty.

Mr. LODGE. The amendment, Mr. President, the Senator from Mississippi [Mr. McLAURIN] objected to had been agreed to. It is the point of order on which the Senator from Mississippi took an appeal that goes over.

Mr. McLAURIN. If the Senator from Massachusetts will allow me, I do not understand that that amendment has been agreed to. It was permitted to go over and not agreed to, because I especially objected to it.

Mr. LODGE. Mr. President, what went over was this: The point of order was made; it was overruled by the Chair, and the Senator from Mississippi took an appeal.

Mr. SPOONER. It was not agreed to.

Mr. LODGE. And the question before the Senate is on the appeal.

Mr. McLAURIN. The amendment was not agreed to.

The VICE-PRESIDENT. The amendment was not agreed to. The point of order was made against it.

Mr. LODGE. That is unimportant.

The VICE-PRESIDENT. What is the further wish of the Senator from Maine?

Mr. HALE. I do not see that there is anything further I can do, Mr. President. I have done the best I could to get the bill through to-night, and the Senate was very kind in having this evening session.

Mr. McLAURIN. Mr. President—

Mr. NELSON. Will the Senator from Mississippi allow me to make a suggestion?

Mr. McLAURIN. Certainly.

Mr. NELSON. I will withdraw my amendment for the time being and offer it in the Senate to-morrow. I understand the Senator who has the bill in charge does not intend to go any further than to have it reported to the Senate this evening. Am I correct in that?

Mr. HALE. What I hoped, Mr. President, was that everything would be disposed of except the amendment in relation to the Panama Canal, which, of course, could not be disposed of to-night, as the Senate has agreed to take that matter up and decide it to-morrow. But I can not control the Senate; and if the Senator from Mississippi insists upon his amendment to strike out the provision in regard to the President's traveling expenses or to oppose that provision which was put in by the committee, of course I can not have a vote upon it to-night.

Mr. McLAURIN. In answer to what was suggested by the Senator from Minnesota, I want to suggest, inasmuch as he proposes to withdraw his amendment, that the Senator who has charge of the bill withdraw the amendment on which I made the point of order and offer it to-morrow in the Senate. I do not know what disposition the Senate will make of the amendment. I have an idea what the disposition will be; but I have some observations that I desire to make before that amendment is to be acted upon, and I prefer for myself that that be done to-morrow.

Mr. HALE. Then, Mr. President, I do not conceive that anything can be gained by spending any more time on the bill this evening; but I shall continue to ask the Senate at every possible moment to take the bill up and consider and complete it, without repeating the reasons which I gave this morning, in order that it may go into conference. But if the Senate does not desire that, the Committee on Appropriations is discharged from its responsibility.

Mr. SPOONER. I should like to ask the Senator a question. The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Wisconsin?

Mr. HALE. Certainly.

Mr. SPOONER. The Senator does not expect to adopt the canal amendment to-night?

Mr. HALE. No; I do not.

Mr. SPOONER. How could the bill go into the Senate with the canal amendment unacted upon in Committee of the Whole?

Mr. HALE. What I hoped was that it would go into the Senate, and when the Chair asked the usual question, "whether any amendments are reserved," that that amendment would be reserved.

Mr. SPOONER. Does the Senator mean that the Senate, in Committee of the Whole, shall adopt the amendment?

Mr. HALE. Adopt the amendment or not—either way. But I can see that that is not a feasible thing, and there is nothing to be gained by spending any more time on the bill to-night.

Mr. McLAURIN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Mississippi?

Mr. HALE. Yes.

Mr. McLAURIN. I wish to say, Mr. President, in response

to the suggestion that was made in reference to the appeal that I took to the Senate from the ruling of the Chair, that I will not insist upon the appeal to-morrow, not that I am convinced that I was incorrect, but for other reasons I will not insist upon the appeal. I will, however, oppose the amendment that has been reported, as I stated a while ago, and I propose to submit some observations on it when it comes to the Senate.

Mr. HALE. The Senator suggests that he proposes to debate that amendment, and I do not see that anything is to be gained by obliging him to commence the debate to-night. Good progress has been made with the bill, and I shall ask the Senate at the first possible moment to continue the consideration of it. I can see plainly that nothing can be done to-morrow, because to-morrow is already confiscated by the rule of the Senate for the Panama Canal. If, however, we should get through with that in time to-morrow afternoon, I shall ask the Senate to take this bill up and complete it; and, if necessary, I shall ask for a session to-morrow evening. Under those conditions, Mr. President, I move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 21, 1906, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 20, 1906.

The House met at 11 o'clock a. m.

The following prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D.:

We bless Thee, our Father in heaven, for every fraud unearthed, for every injustice brought to light, for every act of dishonesty and perfidy uncovered throughout the world, and we most fervently pray that speedy retribution shall follow the wrongdoer, both for his sake and for the sake of humanity, and we rejoice with exceeding great joy that for every fraud there are a thousand genuine acts, for every injustice a thousand deeds of justice and kindness, for every deed of dishonesty a thousand acts of honesty; that there is more good than evil in the world; that the trend of civilization is upward, not downward—forward, not backward; that God reigns, and the star of love is in the ascendancy; that the tides of brotherhood are strengthening and widening day by day; and with an optimism born of faith in Thee and in humanity we look forward to the coming of Thy kingdom in all its sweetness and fullness and the reign of Thy love in every heart; for Thine is the kingdom, and the power, and the glory for ever and ever. Amen.

The Journal of yesterday's proceedings was read and approved.

LEGISLATIVE APPROPRIATION BILL.

Mr. LITTAUER. Mr. Speaker, I call up the conference report on the bill H. R. 16472—legislative, executive, and judicial appropriation bill—and I ask unanimous consent that the reading of the report be omitted.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report.

Mr. LITTAUER. Mr. Speaker, I ask unanimous consent that the reading of the statement be omitted. It is a long tabulation of what has taken place on the many amendments. It is printed in the RECORD to-day.

Mr. UNDERWOOD. I shall have to object to that unless we have an explanation.

Mr. LITTAUER. It is printed in the RECORD.

The SPEAKER. Is there unanimous consent that the statement be read in lieu of the report?

Mr. UNDERWOOD. I have no objection to that.

The SPEAKER. The Chair understands the gentleman wishes that one or the other be read.

Mr. UNDERWOOD. I merely ask that one or the other be read.

Mr. LITTAUER. I ask unanimous consent that the statement may be read.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The conference report and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16472) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 27, 49,